
The National Council of Jewish Women built and refurbished the Council House, a residence for senior citizens on Capitol Hill, Seattle. They obtained federal financial assistance through the US Department of Housing and Urban Development (HUD) for the original construction and rehabilitation. The Directors currently employ an Acting Administrator (Stephen Mitchell) who must comply with HUD Directive #4381.5 when managing the building and dealing with residents.

The Council House on Capitol Hill, Seattle, claims to offer first-class accommodations at modest rentals. However, building sickness, noise pollution, lack of security, and a procrastinating administrator have resulted in anarchy and potential disaster. Advertisements claim that the facility has rooms with a view, comfort, security, companionship, and independence. However, Mark Mullen (the administrator) does not tell potential residents about the sick building and other problems that disadvantage residents although he knows about them. Instead, he uses Grace Burton (his resident spin doctor) and others to propagandize the benefits and cover up the disadvantages of this squirrel cage.¹

Some residents make excessive noise during the quiet hours. They disturb a silent majority who try to abide by the rules. The law-abiding residents do not report noise pollution because they know that Mullen will do nothing about it. They also fear his allusion to their mental capacities and obsessions when they complain which shows his own insecurity. They choose to suffer silently. However, when one knows the history of procrastination and kill-the-messenger strategies used by Mullen, one can understand their reticence.

Noise pollution means environmental noise that is annoying, distracting, or physically harmful. At the Council House it has probably already reached the physically harmful level. A building condition called flanking sound transmission increases noise pollution to intolerable levels. Moreover, the absence of security guards precludes any rule enforcement to abate this nuisance. This combination allows an anarchistic segment of the resident population unlawfully to create noise and the building amplifies it to intolerable levels. The noise pollution has caused a distinct health hazard among these gray panthers whom Mullen systematically declaws with threats of eviction.

The *Resident Handbook* calls for quiet hours 10:00 pm through 8:00 am. The silent majority observe that rule but a noisy minority makes excessive noise throughout the night. They flush toilets incessantly and unnecessarily and take showers at 2:00 am. They use wake-up alarms and a whistling kettle at 3:00 am and run kitchen appliances and vacuum cleaners at 4:00 am. They use obscene language during loud arguments. They ring door chimes and bang on apartment doors frightening other residents. They play radios, televisions, and stereos, at unreasonable volume levels all night. They turn their emergency signs then slam the door to let everybody know that they survived the night. They drop toilet seats and slam cabinet doors. They hold loud conversations. Their complete disregard for the comfort of other people turns any hearing disability into an advantage.

A recent disturbance resulted in an arrest. The police took a resident and his woman to the precinct house in handcuffs where the woman claimed to have received her injuries from her drug dealer and not the resident. She stated that she had "dated" the resident for more than a year. The police released

them after questioning. However, the woman continues to visit the building despite the arrest.

Another recent incident involved a persistently drunk resident whom a staff person had to help from her automobile to her apartment. She has evidently become a menace to herself and other drivers. She has injured herself on several occasions and will probably injure others if she continues to drive. Her bizarre behavior frequently annoys other residents. She denies that she has a problem. Moreover, the administrator promotes a counseling service yet has apparently done nothing to insure that this woman receives counseling.

These incidents give a perverse delight to the self-righteous and vociferous minority that perpetually inhabits the lobby. The bizarre behavior gives them something to gossip about besides their neighbors, the food service, and the weather.

Mullen could easily overcome some of these problems by enforcing the existing rules that govern the length of stay of visitors and aberrant behavior by residents. Instead, he procrastinates and prevaricates to cover up the problems. This disadvantages the silent majority.

An unreasonable sound level usually means a level at which people outside can hear any sounds from within an apartment. The building walls and floors act as good sound shields when residents keep their equipment at median volume levels. However, the structure does not buffer sound at other than those decibel levels, especially at night. Instead, it transmits sound to other parts of the building and amplifies it. Residents who ignore these conditions display anarchistic and dysfunctional behavior. Mullen encourages them with his laissez faire policies: if people focus upon the anarchists then they will probably not focus upon him. If the Council House had a competent administrator then residents could easily overcome the design deficiencies of the building by understanding them and by modifying their behavior. This requires education and enforcement of existing rules and laws by a competent security guard.

Structure-borne sound transmission gives the impression that noise heard to come from one source in fact comes from elsewhere. The sound transmission occurs in the solid structure instead of through air or liquid. Moreover, sound waves can arrive successively and randomly from all directions with equal probability as to their source. This phenomenon sends noise in several directions simultaneously. It also increases in decibel level as it travels to create an even louder sound than when heard at the source. Known to architects and engineers as flanking sound transmission, this condition can also involve sound reflection. Sound reflection creates an echo delivered with sufficient volume and delay to make it distinguishable from sound delivered directly which makes the source more easily identifiable if tested.² Mullen has admitted that the building contains this design fault yet apparently considers the disease terminal and provides no

treatment for relief of the symptoms. However, an efficient security guard would find the source of the “pounding and dropped objects” that Mullen claims as the cause of this noise pollution.

Paradoxically, Mullen admits to the flanking noise problem but denies that noise pollution exists. He has used statements by “many of the residents” (whom he refuses to identify) to support his contention. A resident whom Mullen questioned later identified herself voluntarily to Nmesis. She said that she had told Mullen that she had heard nothing. Paradox upon paradox: that person had previously received a warning from a staff member for making excessive noise herself. She could not hear the transmitted noise over her own noise. The other people questioned must have taken their hearing aids out for the night otherwise they could not have avoided hearing the noise that an investigation has revealed. This trick of focusing on what did not happen usually means that the trickster wants to divert his audience from what did happen. It creates fiction instead of providing facts.

An investigator found the sources of excessive noise during his first patrol of the building and confirmed his findings during subsequent patrols on different days. He patrolled all residential floors at various times during the night over a ten-weeks period to test Mullen’s claims. He walked down the center of the public hallways and recorded only noise and conversation heard from that position. By that he conformed with RCW 9A.46.010, and other statutes, that relate to the invasion of personal privacy. He neither contacted residents nor acted in any way to provoke, harass, coerce, intimidate, or humiliate them. Moreover, he reserved the right to publish his findings, including alleged violations of leases and municipal and state laws, using constitutionally protected speech in whatever medium he chose.

He found flagrant breaches of leases that he validated, recorded, and notarized. This document shows that almost 20 percent of the Council House residents violated their leases also municipal and state laws by consistently making excessive noise during the quiet hours. The document shows a pattern and practice that will probably stand up in court or at a HUD investigation.

The report lists by name and apartment number those residents who made excessive noise during the investigative patrols that took place between 3:00 am and 6:00 am. It includes a variety of noises predominantly radio or TV sounds. As a controlled sample, it does not include those people who made excessive noise at other times and on other days. The report highlights the names of residents who made noises heard from each end of the building and across several floors. The statistics relate to source sounds and do not take into account amplification caused by flanking sound transmission.

Repeated written complaints to Mullen over a four-month period met with laissez-faire, kill-the-messenger, responses and absolute denial that a problem exists: a sort of contempt before investigation. Instead of addressing the issue he called an attorney. The attorney, Richard R. Beresford, supports his client’s rhetoric instead of creating a realistic dialectic: an extension of Mullen’s laissez-faire technique.³ Apparently, neither Mullen nor any of the Council House directors have visited the building during the night. If they had then they could have judged the noise level for themselves.

HUD regulations require the directors to publish a description of the system employed by the administrator for resolving resident complaints. A HUD official has said that the administrator must post complaint procedures or make them readily available. Mullen and the directors have neither promulgated resident complaint procedures nor followed the HUD directive adopted three years ago that requires them to report resident grievances.⁴ Instead, they have adopted the first bureaucratic rule of risk management by concealing the complaint filing procedures and their names and addresses. One expects more from an administrator paid \$53,100.00/year.

In contrast to Mullen, other managers have taken immediate action to abate both internal and external noise pollution reported by residents to them directly: complaints that Mullen previously neglected to address. Clyde Stafford, Manager, Emerald City Disposal, rescheduled his garbage trucks from nighttime to daytime; Fally Tyson, Owner, The Madkin (apartments next to Council House), disconnected a battery to stop repeated sounding of an automobile alarm during the extended absence of his tenant who owned the vehicle; and, Leon Jackson, Maintenance Manager, Council House, stopped his men creating garbage disposal noises during the quiet hours. All three individuals met their responsibilities by taking action on a first request yet Mullen took no action whatever on the same complaints. Meanwhile, the noise pollution and violations of law continue unabated and most of the residents continue to suffer silently.

Nmesis. **Full Text** <http://www.contracabal.org/801-01.html>

The administrator, Mark Mullen, refused access to public information. He also refused to provide a copy of the list of directors’ names and addresses previously published in the *Council House Residents Handbook* and now deleted from it.

Nmesis, an accredited journalist, used the Washington State Public Disclosure Act (RCW 42.17) and the US Freedom of Information Act (5 USC 552) to obtain that information. From Government sources he also obtained all state and federal documents needed to verify the statistical and supporting data published in this essay.

1. Grace Burton, Editor, *Connections*, the Council House magazine, altered the meaning of an excerpt taken from this essay. She then published it without permission of the author. This exemplifies the way her politically correct special interest group panders to its own and Mullen’s personal interests.
2. American National Standard Acoustical Terminology (ANSI S1.1-1984 amended), *Noise/News International* 3 (September 1995), 161-168.
3. Richard R. Beresford, Beresford, Booth, Demaray & Trompeter Inc., P.S., Seattle, Washington.
4. US Department of Housing and Urban Development, Directive #4381.5 (Rev-2) 2.9(e).

The Mullen Legacy

<http://www.contracabal.org/801-02.html>

The National Council of Jewish Women built and refurbished the Council House, a residence for senior citizens on Capitol Hill, Seattle. They obtained federal financial assistance through the US Department of Housing and Urban Development (HUD) for the original construction and rehabilitation. The Directors currently employ an Acting Administrator (Stephen Mitchell) who must comply with HUD Directive #4381.5 when managing the building and dealing with residents.

Wednesday, May 17, 2000, Mark Mullen announced his resignation as administrator and director of Council House, Inc. a nonprofit corporation. He sang a heart-rending swan song citing the primary reason for leaving as a need for an increase in salary. This despite receiving a \$5,104.00 (10.63%) increase this year and a "generous holiday gift" from the Council House board at the end of 1999. Less than 30% of the residents attended the meeting.

Mullen, and incidentally Grace Burton his personal pandering pygmy, subjected the gathering to a one-hour, self-interested exaggeration in keeping with Mullen's normal doublespeak. Mullen has taken a job as administrator, Fred Lind Manor, Seattle, apparently a division of Fairview Baptist Ministries. By his own description, he will become a small cog in a large wheel.

Mullen announced the appointment of Stephen Mitchell, social service director, as the acting administrator. Mitchell responded to a question by admitting that he does not have a financial background. Hopefully the board of directors will appoint a qualified accountant to help him before administrative matters deteriorate any further. Mitchell has inherited the Mullen legacy.

The National Council of Jewish Women created this corporation to build and refurbish the Council House, a residence for senior citizens on Capitol Hill, Seattle. They obtained federal financial assistance through the US Department of Housing and Urban Development (HUD) for the original construction and rehabilitation. The Council House directors have employed Mullen as both administrator and director for fourteen years, ostensibly creating a conflict of interest. He has consistently neglected to comply with HUD Directive #4381.5 when managing the building and dealing with residents by that violating federal laws and resident rights.

Mullen, an aging yuppie, has consistently denied knowledge of situations that negatively affect residents and distributed disinformation to cover up his neglect. He has employed an oligarchic political philosophy by claiming absolute power. As an oligarch, he has acted in his own interests and excluded the welfare of the people whom he managed. He has remained disconnected from his public and out-of-touch with democratic reality and the members of this special community.

The Council House on Capitol Hill, Seattle, claims to offer first-class accommodations at modest rentals. Advertisements claim that the facility has rooms with a view, comfort, security, companionship, and independence. However, a lack of security coupled with Mullen's procrastination and neglect has allowed a minority of residents to break rules and violate laws. His lack of response to human needs has put residents in danger and has caused a hazard to health and property. Moreover, the directors have consistently pursued a laissez-faire policy that has allowed this situation to deteriorate for several years.

The security problem has reached a stage where residents should ask whether someone must suffer a violent death before the board of directors takes action. Disturbances have already erupted that have caused the police to take people away in handcuffs. Residents do not report rule infractions because they know that Mullen will not do anything about them. Their reticence probably relates to his hostile reaction to complaints and a history of procrastination and kill-the-messenger techniques that make appeals fruitless.

The *Resident Handbook* claims that Council House employs security personnel to provide extra safety to residents. However, the two people bartering free accommodation for

services act only as desk clerks and not as security guards. They apparently have no credentials for security work and one allegedly acts illegally.

Moreover, the board of directors has equal responsibilities and liabilities whether they hire uniformed security guards from an agency or employ people who live-in and wear civilian clothes. Security employees who live-in have usually trained as in-house security guards. Calling security guards by other names does not reduce exposure to civil liability. They have identical duties and responsibilities. The only differences between them relate to whether they wear uniforms and who pays them.

Reason dictates that if the administrator issues unit or master keys then he should know the background of the person to whom he issues them. Minimum employment criteria require checking job references and criminal background to insure against future liability. A plethora of background screening services and private investigators exists for this purpose. Whether he has checked backgrounds or not, Mullen has failed to call the police or properly investigate thefts within the building. Especially, he has ignored thefts allegedly committed by one of his "security employees." That individual still possesses master keys to the building and to all of the apartments.

Nmesis will not detail here the lax security for fear of giving criminals assistance. Suffice to say that many nonresidents frequently enter the building during the night using master pass keys, access cards, and digital combinations. Of course, they do not sign in. Several teenagers in the area possess the digital code for the front door. Former employees had access to master keys and codes during their Council House employment. However, management apparently did not undertake background checks and did not change the locks when they left unexpectedly.

Mullen has claimed that the cameras in the lobby protect residents. Any reasonable person knows that cameras do not dissuade drug addicts and only record activity. They do not prevent crime. This has become evident from the number of thefts and disturbances. Moreover, anyone can don a yarmulke and gain entrance to the building through the basement synagogue. That door, in keeping with others, does not have a camera installed which nullifies the effect that cameras anywhere in the building can have as a recording mechanism.

A visitor bringing a resident groceries could not get into the building. He left the groceries in the outer lobby while he went to the gas station to telephone the resident to ask him to open the door. The groceries had gone when he returned a few minutes later. The resident asked for access to the security video to identify the thief that had robbed him. Mullen apparently refused by saying that the camera does not record that: more Mullenium doublespeak.

The Council House operating statement¹ claims expenditure and budgeted expenditures for Security Payroll/Contract as \$18,966.00 (1998/99) and \$23,400.00 (1999/00), respectively. Yet the Council House employs neither security guards nor contracts with a security company for services. Perhaps the directors should explain where that money went.

Council House has virtually no security. The volunteer desk clerks and "bartered bridegrooms" finish duty most days at approximately 9:00pm. Visitors do not sign in voluntarily as management should expect. Nonresidents with access codes stay in studio apartments with relatives and let their "girl-friends" (described as whores by a resident) into the building

without recording their entry. A transient sleeps in the outer lobby most nights without anyone questioning him.

Consequently, Council House claims to a secure building rank as misleading at best and fraudulent at worst. A secure building requires detailed post orders. Patrol instructions form part of any contract with security guards and strict patrol compliance standards form an important part of building security. The accepted standard includes one-hour patrols three times a night between 8:00pm and 4:00am with strict accountability. Between 11:00pm and 7:00am would probably work best with Council House. Strict accountability means documenting the patrol pattern with detailed written activity logs filed at the end of each shift. These should cover all areas of the property. Residents must know how to contact a security guard anywhere and anytime during an emergency.²

These standard conditions do not exist at Council House and may have allowed the burglary incidents and a recent car theft. Moreover, the panhandlers in the parking lot go unchallenged and the noise pollution reaches intolerable levels through lack of rule enforcement. The latest spate of thefts relates to newspapers that disappear from hallways soon after delivery. In addition, the thefts of cutlery and furniture from public areas also computer equipment from storage lockers has reached significant levels.

Several times emergency crews could not enter the building and had to break down the front entrance doors. Recently, a visitor sounded an automobile horn for more than five minutes at 3:00am to attract a resident's attention. Apparently, he or she could not find a security guard to gain access to the building. This could have correlated with a life or death emergency.

Mullen has claimed that the front desk personnel work from 5:00pm through 10:00pm. Frequently, one cannot find anybody during those hours and the desk often closes long before 10:00pm. Both residents and nonresidents enter and leave the building at will, some of them through emergency exits using pass keys. Residents' maids and visitors enter during the night with front-door pass keys to use the laundry machines despite rules that do not allow them into the building between 10:00pm and 5:00am. No security guard then no security.

Clearly, the "bartered bridegrooms" that Mullen describes as security employees neither perform the duties nor have the qualifications to act as security guards. When residents try to contact them during the night, they frequently hear a voice mail message. They have to call a private number (if they know it) to awaken him then consistently receive a belligerent response for disturbing him. The other individual has an acceptable disposition but evidently does not meet the standards for a security guard.

The belligerent individual apparently has a personal stake that creates a conflict between his duties and his personal obligations to certain residents when it comes to reporting rule violations. He provides virtually no protection to residents and does not enforce noise abatement rules. If a competent security guard patrolled the building then the nuisance residents would stop in their tracks to avoid exposure. Repeated transgressions would give Mullen a legitimate reason to issue eviction notices. Instead, he has hissy fits and uses flippant eviction threats each time that he gets his boxer shorts in a twist.

One would expect the president of the residents' council to respond to complaints. However, the impotence of the residents' council, that operates contrary to law, extends the laissez-faire of the Council House directors. This improperly

constituted council meets as a glee club that spends its time singing its own songs. It does not represent the interests of residents. Instead its self-appointed officers (appointed by affiliation instead of democratic election) pander to the Mullen oligarchy. Both Knate Stahl, "President" and Mary Lou Saul "Secretary" have consistently denied access to minutes of resident council meetings.

These individuals refuse to follow specific procedures mandated by HUD. For example, they neglect to send out to the membership a notice of call for each meeting and to circulate an agenda. This precludes choice by members who may have an interest in attending a meeting that addresses a specific topic. Moreover, members do not know which meeting deals with the nomination of officers and which relates to an election. Consequently, the composition of the nominating committee and the elections bear no resemblance to HUD mandates. Sometimes the president allows Mullen to attend and to speak contrary to all accepted protocol.

Mullen has spent more time tracking the source of dog and cat shit in the garbage room than he has on security and theft problems. Sam, the resident black and tan coonhound examined the area that Mullen complained about and used his inherent analytical skills to identify the source. In his expert opinion, the excrement did not have either canine or feline origins. Instead, he found by nasal analysis that the sample had a high drug and alcohol content. To conform with federal guidelines, he has declined to reveal race, gender, or national origin although he has hinted at a Celtic connection. Moreover, he denies any bias or conflict of interest in accord with the Mullen doctrine.

It did not take Sam long to learn Mullenium doublespeak and to join the oligarchy. Like Mullen, he abandoned his ethics for self-interest that resulted in extra rations provided by management. Mullen will leave Council House and, hopefully, take his negative influence with him. Sam will undergo anthropomorphic rehabilitation.

Council House can accomplish its stated goals if the Council House directors enforce the rules and the law by employing qualified security guards. Then, with validated reports, they can make judgments regarding what action to take within the HUD mandate. The board has still done nothing about the noise pollution reported in *Disconnected: Life in a Seattle Squirrel Cage*.

Ignoring security problems and adopting laissez-faire policies when incidents occur place both people and property in danger. Concurrently, the residents must, by law, democratically elect a board of directors for a registered residents' association using the HUD model.³ They must remove the pandering pygmies that now run the self-serving glee club and replace it with a lawful entity that allows all residents to freely voice complaints without coercion.

Nmesis. **Full Text** <http://www.contracabal.org/801-02.html>

Mullen, the registered agent for Council House, has continued to refuse access to public information. He has also refused to provide a copy of the list of directors' names and addresses previously published in the *Council House Residents Handbook* and now deleted from it. Nmesis, an accredited journalist, used the Washington State Public Disclosure Act (RCW 42.17) and the US Freedom of Information Act (5 USC 552) to obtain that information. From Government sources he also obtained all state and federal documents needed to verify the statistical and supporting data published in this essay.

1. *Housing Assistance Payments Renewal Contract 524(a)(1), Attachment 4 of H98-34*, US Department of Housing and Urban Development (HUD).
2. Chris E. McGoey, *Security Adequate . . . or Not?* (Aegis Books), 1990.
3. *Directive #4381.5 (Rev-2)*, US Department of Housing and Urban Development,.

Silverman's Folly

<http://www.contracabal.org/801-03.html>

The National Council of Jewish Women built and refurbished the Council House, a residence for senior citizens on Capitol Hill, Seattle. They obtained federal financial assistance through the US Department of Housing and Urban Development (HUD) for the original construction and rehabilitation. The Directors currently employ an Acting Administrator (Stephen Mitchell) who must comply with HUD Directive #4381.5 when managing the building and dealing with residents.

During the time that Stephen Mitchell spent as deputy to Mark Mullen he frequently received complaints about noise pollution. He responded with empathic anecdotes about his own apartment in a private residential building. He explained that he allowed the noise made by his neighbors to reach a high-decibel level then complained to them. However, he has done nothing to complain to recalcitrant Council House residents about the noise that they make although he receives a salary to perform that duty.

Evidently, Mitchell will act in his own interest to reduce the noise in his own apartment but will do nothing to abate the noise at Council House. Now that he has assumed the position of acting administrator he has a greater responsibility to use the authority granted to him by resident leases. He still does nothing. Instead, he apparently plays with his sci-fi toys in a futuristic make-believe world.

Residents have rights granted by law. If the directors appoint their court jester as thespian administrator then they cannot expect anything but a comedy of errors. Silverman et al have decided to give an actor responsibilities that he cannot handle: a decision unfair to both Mitchell and Council House residents.

Both Mullen and other directors have generally treated grey panthers as feeble-minded morons unable to decide for themselves. They have consistently used this ploy to manipulate residents in their own interests and to deny them their rights. Many residents have worked for many years in the professions and have come from educated backgrounds. Their economic impoverishment does not mean that they have lost their minds or their initiative. The board must use their talents and not rely upon residents with both physical and mental disabilities obsequiously to do their bidding. Evidently, the directors will only deal with people whom they can manipulate. They do not dare to negotiate with people of equal or superior intellect to themselves.

The US Department of Housing and Urban Development (HUD) regulates the building not the National Endowment for the Arts. Therefore, the directors have a responsibility to follow

HUD directives and mandates by appointing a trained administrator or building management agency to manage the building lawfully. The law does not permit them to appoint a thespian or theatrical agency to turn the community into another theater of the absurd.

Following publication of the essay *Life in a Seattle Squirrel Cage*, the noise level at night decreased measurably during the investigative patrols at the Council House. Significantly, some residents who had repeatedly transgressed at low-decibel levels modified their behavior. The remaining high-decibel people have continued their aberrant behavior. Another two patrols have confirmed these findings.

The extremists persist and continue to disturb other people. Nmesis requested Dr. Donald R. Silverman, a Council House director and a board spokesman, to direct Mitchell to take remedial action. However, neither Silverman nor his jester have acted.

The following people make up the high-decibel category. They have repeatedly created noise during the quiet hours that impinged upon the rights of other residents. The investigator could hear them from each end of the building and across several floors. Names of the remaining low-decibel and new offenders will appear on this list if they do not abate the nuisance immediately.

310	Sharon Bethune*	
602	Jackie E. Nations*	206 328 8513
605	Clarence Jones*	206 325 8602
710	Betty Byrum*	206 325 0931
915	Carol and Nestor Palladius*	206 328 6205
1208	Arthur H. Metz*	206 328 8513
1210	Anne Finely*	206 329 9301

**High-decibel noise ordinance violators.*

The investigator found flagrant breaches of leases then validated them and wrote a report containing that information. The document shows that thirty Council House residents violated their leases also municipal and state laws by consistently making excessive noise during the quiet hours. The

documents showing that Mullen and Mitchell received repeated complaints over a six-month period but did nothing to alleviate the nuisance append to the report. The documents show a pattern and practice that will probably stand up in court, at a HUD investigation, or a civil rights hearing. That report containing the names of both categories of transgressor will now become a public record. It will also become the subject of a formal complaint to the appropriate authorities.

The report initially lists by name and apartment number those residents who made excessive noise during the investigative patrols that took place between 3:00 am and 6:00 am over an extended period. It includes a variety of noises predominantly radio or TV sounds. As a controlled sample, it does not include those people who made excessive noise at other times and on other days. The report highlights the names of residents who made noises heard from each end of the building and across several floors. The statistics relate to source sounds and do not take into account the amplification caused by flanking sound transmission.

The Council House theater of the absurd continues its present run of *Proverbs of Hell*. The mullenium jester and his directors continue to do nothing. The noise continues and the pygmies continue to pander to the oligarchy. All this reinforces the adage that a fool always has bigger fools to admire him.¹ However, let us remain thankful for them for without fools the sensible people could not succeed.²

1. Nicolas Bolleau-Despréaux, *L'Art Poétique*, cto 1 (1674).
2. Mark Twain, *Following the Equator*, ch. 28, Pudd'nhead Wilson's New Calendar (1897)
3. Hebrew Bible. *Proverbs* 26:11.

Nmesis can only hope that Silverman MD treats his patients with more respect and consideration than he does Council House residents for whom he holds an equal responsibility. His own activities director said: ". . . actually, I think that I met him [Silverman] once . . . I doubt that he will do anything [about the problems]." Apparently, the financial rewards from his medical practice give him more impetus. He will get very little money from the paragraph that he can include in his resume which describes his civic service to senior citizens. Meanwhile, the fools return to their folly like dogs return to their vomit.³

Nmesis. **Full Text** <http://www.contracabal.org/801-03.html>

Since publication of *Life in a Seattle Squirrel Cage*, Nmesis has received documents and notes from a variety of sources. They reveal other violations of law by Council House administrators and directors. He can verify and validate copies of genuine documents when received anonymously but must disregard unsigned notes. If Council House residents and others wish to use *Disconnected* to air complaints then they must sign their names to them. If authors wish to remain anonymous then they should say so. Nmesis, a professional journalist, will honor the request and will not disclose his sources. He knows about the retaliation and ostracism that Mullen has consistently used to silence people who have filed legitimate complaints. However, Nmesis prefers openness and the publication of correspondents' names.

Theater of the Absurd

<http://www.contracabal.org/801-04.html>

The National Council of Jewish Women built and refurbished the Council House, a residence for senior citizens on Capitol Hill, Seattle. They obtained federal financial assistance through the US Department of Housing and Urban Development (HUD) for the original construction and rehabilitation. The Directors currently employ an Acting Administrator (Stephen Mitchell) who must comply with HUD Directive #4381.5 when managing the building and dealing with residents.

Unregulated freedom means anarchy and absolute order means despotism. A free society seeks to achieve a compromise between these two extremes. Then a substantial amount of individual liberty may simultaneously subsist with public order.¹ Denying a few anarchistic residents their power and consistently challenging an oligarchic administration will eventually destroy absolutism. Apparently, the spirit and drive of the original gray panthers died. Perhaps the Council House panthers should stop surrendering to an oligarchy and sharpen their claws. They can then democratically reassert their civil rights. The spirit of the original panthers may then return to haunt a new generation of aggressors.

Council House policies effectively deprive residents of their right to a quiet and peaceful environment and access to grievance procedures. The board of directors ignores appeals for change while Mitchell (the mullenium clone) neglects to enforce existing rules and laws. For example, Harry C. Bush, formerly board chairman, notorious in the Washington area for his procrastination, does not respond to correspondence from residents. A source who has known him personally for many years described him as “dropping problems like he would drop hot potatoes.” Generally, the directors have become part of the problem and not part of the solution. Board policy smacks of absolutism and racism unacceptable in a building financially-assisted by the US Department of Housing and Urban Development (HUD), or anywhere else for that matter. These people consistently deprive residents of due process of law and by extension their civil rights.

Eventually, when the potatoes get too hot the directors pass them to Robert R. Beresford,² a Seattle attorney who does not know the difference between satire and legal prose. This completes the asylum that Swift would have called the improvement of madness. Administrators consistently kill the messenger instead of dealing with issues. This prevents an otherwise competent staff from performing efficiently. The silent, law-abiding segment of the community feels frustrated while the loud segment has established anarchistic special

interest groups, some ethnically and religiously motivated. An inefficient and politically motivated agent, accountable to HUD, has turned this residence into a theater of the absurd with an unemployed actor choreographing it.

Both the directors and the administrators follow an unequivocal policy for doing nothing. They believe that if they do nothing then problems will vanish naturally. Like bureaucrats and lawyers without an argument they use structured procrastination techniques that employ appeasement to gain personal power over those whom they consider powerless. For them life becomes one long postponement: they fail to recognize that delay in confronting a problem always worsens it. Evidently, they have not learned that Adolf Hitler’s greatest allies were silence, indifference, and inaction.³ He would have immediately coopted the equivocating Council House board of directors.

Invariably, the directors try to keep up with yesterday by delaying problem-solving until tomorrow and believe that they will eventually solve all problems through appeasement. Sir Winston Churchill described an appeaser as a person who feeds crocodiles hoping that they will eat him last.⁴ The management hacks at Council House not only feed them but turn them into pets. They even give them pet names like Dunbar, Stahl, and Cowdin.

Mullen and his clone invariably use precedents when forced to decide an issue. They say: “we have done it this way for years so why change it now” when backed into a corner for a decision. Intelligent people change their theories to support changed circumstances and make intelligent decisions based upon current implications. They do not accept outmoded practices based entirely upon precedent or expediency.

Procrastination allows individuals to evade issues that they find politically distasteful. By using a combination of *laissez-faire*, appeasement, and “kill the messenger” techniques they cause a greater disconnection between residents and the staff than would naturally exist. Then more residents adopt

anarchistic attitudes. They generate casual observations by anonymous people that have no value whatever to delay then deny justice. They obscure issues by using asserted constructs too abstract to test that define as vague theory or untestable hypotheses not open to investigation. Competent judges deny this type of argument immediately. However, Council House administrators, directors, and their attorneys, continue to play this political game.

That game includes constantly moving the personal effects belonging to very old people. This creates an inestimable emotional trauma or exacerbates an existing condition. It probably applies more to senior citizens living in subsidized housing. They have very little left to treasure apart from their furniture and mementos. However, the administrator preemptively moves them from one apartment to another without notice. That coercion also violates their leases and HUD regulations.

Preemptive action usually suggests that a cover-up of unlawful activity has taken place. In a legal sense, this type of administrative action obstructs justice by preventing due process. To support him, Beresford has made a personal attack on a complainant (a practice frowned upon by judges) and created a quagmire. Moreover, the directors have delegated their own responsibility to a smart-mouthed lawyer and an incompetent administrator instead of facing issues themselves. This has extended administrative incompetence to board level and turned a simple complaint into a three-ring circus with a lawyer as ringmaster.

Mullen and Mitchell have perfected the kill-the-messenger technique. To evade facing issues they discredit the messenger using whatever devious ploy they can muster. They coercively persuade anyone associated with the issue to act against their conscience. In the fable, the king angrily killed the messenger then later realized that he had killed his own daughter. The directors will eventually kill their own credibility then destroy the facility that they pretend to protect.

Unfortunately, truth sometimes has the capacity to provoke a negative and hostile response. Insecure people who have a modicum of authority over the comfort of other people feel superior and often become hostile when confronted with the truth. They then make irrational and illogical decisions that damage those for whom they hold a responsibility. They then retire into a cocoon to publicize their "good works" before real disaster strikes. They cannot face the truth.

Messengers get no pleasure in speaking truths to those who have no wish to hear them. They feel affronted by the reaction and ostracism. They also resent the manipulation that accompanies kill-the-messenger paranoia. The infection spreads. The public then contracts the kill-the-messenger disease. They find a way to evade their issues and behave like the worshipers in the temple who wanted to kill Jeremiah because they did not like his message. They silently suffer the rage and fearfully deny the obvious truths. In public they withhold their views and behave like the biblical prophets who withheld their prophecies. The religious zealots among them condemn sin until they find that the condemnation applies to them.

The Council House board of directors continues to sing in barbershop style. They harmonize like politically correct song birds then decide to do nothing. Then, conducted by their attorney, they produce incredibly dissonant music. This disharmony results in qualitative control by those making judgment. Moreover, it supports a cultic instinct toward conformity that eliminates any inconvenient nonconformity (also honest dissent).⁵ The conformity destroys any vestige of individuality. The exclusivity forces everyone to become like someone else. It enables the bureaucrats to deny freedom of expression to dissenters and allows them to harass nonconformists. It also outlaws any behavior that they find "inappropriate." The war cries "censor it" and "politically correct" then define synonymously.

Nmesis.

Full Text <http://www.contracabal.org/801-04.html>

1. William H. Rehnquist (23 Kan. L. Rev. 2).
2. Richard R. Beresford, Beresford, Booth, Demaray & Trompeter Inc., P.S., Seattle, Washington.
3. Lord Jakobovits, Chief Rabbi of the British Commonwealth, *Independent*, 5 Dec 89.
4. Sir Winston Churchill, *Readers's Digest* (Pleasantville, NY), December 1954.
5. John Kenneth Galbraith, *A View from the Stands* (Boston, MA: Houghton Mifflin Co., 1986), 127.



Tall Structure Terror

<http://www.contracabal.org/801-05.html>

The National Council of Jewish Women built and refurbished the Council House, a residence for senior citizens on Capitol Hill, Seattle. They obtained federal financial assistance through the US Department of Housing and Urban Development (HUD) for the original construction and rehabilitation. The Directors currently employ an Administrator (Stephen Mitchell) who must comply with HUD Directive #4381.5 when managing the building and dealing with residents.

Previous editions of *Disconnected* have detailed the lack of security that exists at Council House. Both the board of directors and the administrator have continued to ignore security breaches reported to them. This has resulted in a dangerous situation: so dangerous that *Nmesis* has delayed publication of this essay for five months. Professional ethics require journalists to refrain from publishing details of crimes that would cause harm to innocent people. Releasing this information could have provoked the people involved and caused death or injury. The danger to residents has probably now lessened which permits publication. Federal Bureau of Investigation (FBI-Seattle) has not declared that a direct connection between the Ahmed Ressay case and the employment of Simon Rishel as a security guard at Council House exists. However, parallel time-frames and similar ideology gave reasonable cause to inform FBI-Seattle of Rishel's allegedly seditious behavior.

US District Chief Judge John Coughenour, presided over the case of bomb-smuggling suspect Ahmed Ressay (7 Nov 00). He denied a defense motion to strike the sole charge of international terrorism against that Algerian national for a third time. US Customs agents arrested Ressay, 32, in Port Angeles after US Customs agents said that they discovered bomb-making chemicals and equipment in a rented car (14 Dec 99). Prosecutors believe Ressay was part of a conspiracy by Algerian nationals living in the United States and Canada, to disrupt millennial celebrations in Seattle and other cities.¹

Another suspect in Yemen has provided unverified but credible information about the USS Cole attack (12 Oct 00) which killed seventeen US sailors. According to a report by ABC, that suspect asserts that suicide bombers originally planned an attack on the USS Sullivan refueling in Aden during January. This plan apparently formed part of a coordinated terrorist plot during the millennium holiday that included a planned attack on Seattle's Space Needle. Allegedly, militants linked to Osama Binladen coordinated these plots. The US had previously accused Binladen of bombing US embassies in Kenya and Tanzania in 1998.²

Nmesis warned Richard R. Beresford, Council House Attorney-at-Law, and Donald R. Silverman MD, Director, about Simon Rishel's allegedly seditious behavior while on security duty at Council House. The term "seditious" applies to obtaining communications that have as their objective promotion of treason or certain lesser commotions and defamation of the government.³ Particularly, using government-funded computers to download information about terrorist activity.

Beresford and Silverman evidently took no notice. They did nothing and their apparent neglect placed residents in danger. Their indifference prompted *Nmesis* to inform Charles E. Mandigo, Special Agent in Charge, FBI-Seattle. Mandigo agreed to review the situation and said that his staff would make contact if he needed more information.

One neither expects the FBI to explain their actions nor to reveal the facts of a case under investigation. Consequently the statements made here result from verified and validated information received from Council House residents, employees, and other sources. The directors and administrators apparently did not act upon the information provided to them and to the FBI. They did nothing to reduce the danger to residents. Instead acting administrator Stephen Mitchell adopted a policy of appeasement and cover up. He used an absolutist panacea: either kill the messenger or appease the malleasant then cover up the crimes.

Former administrator Mark Mullen employed Rishel as a "security person" apparently without a background check or bonding. A check would probably have revealed his unlawful activities. An avowed Muslim, Rishel subsequently used Council House computers to download myriad fundamentalist and terrorist tracts from the Internet and saved them on the computer hard drive. He openly declared an affinity with the Afghan Mujahideen and said that he would like to join in their jihad. He used federally-funded computers in a US Housing and Urban Development (HUD) financially-assisted property to pursue potentially subversive activities.

The report about Rishel's activities could construe minimally as unconstitutional and in an extreme as terrorist related. It did not call for a judgment upon the individual but

suggested that in the interest of all residents he should receive a thorough investigation. The directors neglected either to investigate or to take action on the alleged offenses although they had prior knowledge of them from the volunteer computer assistant Knate Stahl. Stahl evidently discussed Rishel's behavior with his manager Audrey Dunbar, the person responsible for the computer lab and for complying with HUD directives. She evidently took no action.

All citizens must respect the First Amendment rights of individuals. However, Rishel's behavior disqualified him from those rights and protections. Congress has decreed that no law can take effect that does not respect religion and that abridges freedom of speech. However, exemptions to that statement apply when an individual acts in a way that suggests terrorism or could threaten citizens or the state.

Before FBI involvement, Neika Rishel, Rishel's wife, evidently renounced her connection with the fundamentalist Muslim organization to which Rishel belongs. She decided not to wear Muslim garb and allegedly ceased to cohabit with her husband. Neika and her children found alternative living accommodation.

During his estrangement from his wife, Simon Rishel slept in the Council House penthouse next to the computer laboratory. A resident locked out of an apartment called the emergency number and spoke with the estranged wife. She told that person to go to the penthouse where the resident found him asleep. Evidently, Rishel entered the area after the official closing time with master keys entrusted to him by Mullen and later by Mitchell.

Rishel frequently associated with other individuals involved in allegedly seditious behavior and admitted them to the building and the computer lab during the night. He used the master keys to let them in and did not require them to sign the visitors' register. He then allowed them to use the computers to download seditious material from the Internet.

The National Council of Jewish Women built and refurbished the Council House, a residence for senior citizens on Capitol Hill, Seattle. They obtained federal financial assistance through HUD for the original construction and rehabilitation. A reasonable person would expect the administrator to provide security commensurate with risk. A logical person would presume that the property presents a potential target for Islamic extremists. Its Israeli connection in a time of Middle East turbulence and undeclared war commonly suggest those risks. Moreover, the Council House directors, probably unlawfully, exhibit an Israeli flag that could provoke people who do not concur with Zionist aspirations.⁴

In any event, one would expect Mitchell to provide security at least equal to that provided by the local temple for the people who attend their services and functions. Council House, a thirteen storey building, has a synagogue in the basement and stands one block from Temple De Hirsch Sinai which makes it particularly vulnerable. Virtually no security exists. Both Mullen and Mitchell employed a physically and psychologically disabled person and an Islamic fanatic as their "security" force. In addition they had security cameras that did not work. They did not expect either of these "guards" to patrol at night or to make the reports normally expected from security guards.

Four weeks after knowing about the problem, the directors had still done nothing. Rishel and his non-resident associates continued to download the allegedly seditious materials on the Council House computers during the night. Moreover, Rishel also accessed an administration computer while supposedly on "security duty." Other office computers and files to which he had access contained confidential information about residents protected by the Privacy Act of 1974.

The Council House community already seethes with ethnic prejudice. Council House directors and staff use racially motivated terms when addressing issues. This type of unconscionable behavior by supposedly responsible people leads a group of residents to express themselves ethnically according to their special group interests. That ethnic vernacular construes as hate speech. When combined with Islamic fundamentalist fanaticism it presents a potentially explosive situation.

Finally, Mitchell moved by obtaining a "resignation" from Rishel on a Thursday (13 Jul 00). Outrageously, he allowed Rishel to work his notice and to stay in his apartment until the end of the month and to keep the master keys. The master keys for the building disappeared during Rishel's watch on the Thursday that he resigned.

The assistant administrator, Sharon J. LeMire, apparently learned of the incident early Friday (14 Jul 00). At the insistence of a resident, she unsuccessfully tried to contact Mitchell who had taken the day off. The following Monday (17 Jul 00), Mitchell allegedly swore the staff to secrecy. Reportedly, he said that to change the locks would cost about \$4,000.00 and that he did not want residents to know about the theft of the keys. He put the disabled security person on patrol for several nights then allegedly told his staff that he had found the keys. If one believes Mitchell then one must have reached the quintessence of gullibility.

Whether Mitchell did in fact find the keys or not seems immaterial. Council House employees did not have custody of the keys for several days in which time the thief could easily have made copies. A logical person will recognize the seriousness of this situation and the administrative irresponsibility and possible cover up.

Mitchell and the directors have again placed residents at risk. They have done nothing about changing the locks or strengthening security. Residents probably now stand in greater danger than before because Rishel has left. Islamic extremists may still have master keys to the building and the utility rooms.

In the days following Ressam's arrest, President Clinton and US authorities warned Americans cautiously to proceed with their New Year's plans because of terrorist plots. Deputy Attorney General Eric Holder told citizens to remain vigilant especially those attending large millennial activities planned in many cities. Foreign intelligence services told US authorities that terrorists may have planned attacks against three US cities, New York, Washington and Seattle. The US Customs immediately strengthened security at 300 border crossings.⁵

Seattle's Mayor Paul Schell had grand ideas about welcoming the new millennium. However, in consultation with the City Council and in fear of terrorism he promptly canceled the city's New Year's Eve bash at the Space Needle.⁶ Schell took drastic, costly, and unpopular steps to protect Seattle's citizens. However, the Council House administrator, Mark Mullen, despite warnings directed to him about imminent danger, did nothing. He left residents totally exposed and allowed terrorist sympathizers unlimited access to the building.

The security problem has reached alarming proportions and residents should ask whether someone else must suffer a violent death before the board of directors takes action. Disturbances have already erupted that have caused the police to take people away in handcuffs. Residents do not report rule infractions because they know that Mitchell will do nothing. Their reticence probably also relates to his hostile reaction to complaints and a history of procrastination and kill-the-messenger techniques that make appeals fruitless (See The Mullen Legacy).

The board of directors has similar responsibilities and liabilities whether they hire uniformed security guards from an agency or employ people who live-in and wear civilian clothes. Security employees who live-in have usually trained as in-house security guards. Calling security guards by other names does not reduce exposure to civil and criminal liability because they have identical duties and responsibilities. The only differences between them relate to whether they wear uniforms and who pays them. Mitchell perpetuates the Mullen security farce by falsely claiming that the building has twenty-four hour security:

We do have twenty-four hour security, they do live in the building, they are here. It is your responsibility as a member of this community. If someone

follows you in and you don't feel like a confrontation don't confront them we have a video camera that catches them. Go to your apartment and call our security. Simply dial the front desk and automatically ring into their apartment: that's their job. If its three o'clock in the morning they will get out of bed and they will investigate. If you really don't feel safe call 911. Again, we are an independent living community. It is your responsibility, and ours, to insure the safety of this community. We do have twenty-four-hour security but they need to sleep at some point. It's perfectly OK to wake them up if you're concerned. If you notice anything that you're concerned about call them or call the police.⁷

Obviously, video cameras neither catch nor deter extremists. Moreover, the security of the building does not rest with the residents but with the administrator and directors. They evidently have no knowledge or experience in security matters and do not care about them. The number of incidents requiring police investigation has increased drastically during the past twelve months. The number of nonresidents roaming the building at night has increased as have the number of thefts.

The Residents' Association must establish its authority and the residents must speak with one voice through the president of that organization. HUD requires both the directors and the administrator to listen to duly elected resident officers then to meet their own responsibilities instead of using oligarchic control. They must appoint a qualified security expert to refer staff and recommend procedures for an effective security force at Council House. Moreover, the prime consideration should relate to safety not cost. HUD regulations demand a secure environment and do not restrict costs in achieving it.

Those regulations also require the directors to publish a description of the system employed for reporting incidents and resolving resident complaints. That procedure requires the administrator to post complaint procedures and make them readily available at the desk then respond to complaints in writing within an agreed period. However, the directors have neither promulgated procedures nor followed the HUD directive that requires them to report incidents and resident grievances. Instead, the administrator follows the first bureaucratic rule of risk management and conceals the complaint filing procedures and directors' particulars. This allows him to cover up matters that adversely affect residents and places them in danger.

Dead and critically injured people find it difficult to call security or to dial 911. It recently took more than four hours for a resident to find the body and to inform the police about another resident who had met a violent death. The twenty-four-hour security people evidently enjoyed a full night's sleep. The medical examiner did not declare the death as instantaneous. Did this resident die immediately or did she suffer agonizing pain for up to four hours? Could her life have been saved if a security patrol had found her and called for medical help during that time? No one can answer those questions now but should residents ask themselves: do I feel safe with indifferent, negligent people in charge of security?

Absolute answers to any group of situations do not exist. Administrators must address each problem using specific criteria and rational investigation. They must treat each circumstance on its merits and, in particular, must not ignore any issue that affects the safety of residents. At the first sign of danger they have a responsibility to inform the authorities, something that they consistently neglect to do. They remain complacent to avoid reporting problems to HUD as federal law requires them to do. They care more about not having a complaint about them on the HUD record than they do about the safety and comfort of residents.

Nmesis. **Full Text <http://www.contracabal.org/801-05.html>**

1. Sam Skolnik, *Seattle Post-Intelligencer* (11 Nov 00).
2. Steven Lee Myers, *The New York Times* (10 Nov 00).
3. 18 U.S.C.A. 2383 and 2384.
4. 4 U.S.C 1 § 7(c)
5. Associated Press and Reuters (22 Dec 99).
6. Kery Murakami, *Seattle Post-Intelligencer* (31 Dec 99).
7. Stephen Mitchell (00-1108-0930 #307).

Ethnic Discrimination and Violation of Laws

<http://www.contracabal.org/801-06.html>

The National Council of Jewish Women built and refurbished the Council House, a residence for senior citizens on Capitol Hill, Seattle. They obtained federal financial assistance through the US Department of Housing and Urban Development (HUD) for the original construction and rehabilitation. The Directors currently employ an Acting Administrator (Stephen Mitchell) who must comply with HUD Directive #4381.5 when managing the building and dealing with residents.

Historically, ethnic minority groups have united through their mutual experience of oppression, their fight against bigotry, and their quest for social justice. However, the ethnic relationship between landlord and tenant, or the powerful and the powerless, remains volatile. Latent prejudices have passed from generation to generation until they have become distorted through ignorance and affluence.¹ Ethnic discrimination in housing lingers like a bad habit: it encourages ordinarily neutral people to become bigots.²

The National Council of Jewish Women built and refurbished the Council House, a residence for senior citizens on Capitol Hill, Seattle. They obtained federal financial assistance through the US Department of Housing and Urban Development (HUD) for the original construction and rehabilitation. The board of directors formerly employed a project administrator (Mark Mullen) and now employs an acting administrator (Stephen Mitchell). Federal regulations require administrators to comply with HUD Directive #4381.5 when managing the building and dealing with residents. They must not discriminate against anyone by hiding information about job opportunities and deliberately not advertising them. Moreover, they must provide equal treatment to all residents and consider all qualified applicants for employment notwithstanding their race, color, creed, national origin, gender, age, or familial status.

HUD defines duties and gives administrators rules to follow when handling the day-to-day operations at independent living facilities designed for senior citizens. They usually report to a board of directors. Generally, those residences employ administrators instead of contractors. The administrator has a job description and/or employment agreement and receives a salary rather than a management fee.³

Council House Inc., classifies as a domestic nonprofit corporation registered in the State of Washington. The Secretary of State requires nonprofit corporations to file an annual report that contains the names and addresses of all officers and directors. However, Mullen, the federal-approved administrator (doubling as the state registered agent and as a board director: a blatant conflict of interest) did not file a report during 1993 and the Secretary dissolved the corporation. The board of directors applied for reinstatement and the Secretary granted a certificate to that effect (08 Oct 93), on payment of a reinstatement filing fee. The registered agent has again neglected to file a license renewal application so both Council House Inc. and Council House Foundation have again defaulted (31 Aug 00). They now technically rank as inactive corporations and must again apply for reinstatement. Such negligence continues to boggle the mind.

Through neglect, indifference, and lack of HUD oversight, combined with ethnic prejudice this residence has become a theater of the absurd. Moreover, its choreographers do not learn from negative curtain calls. For example, the registered agent, Mark Mullen (\$53,100.00/year), responsible for filing the annual report has consistently not included all the directors' names and addresses according to law.⁴ Moreover, to cover up his neglect he consistently refused access to public information to deny residents contact with the directors and to cover up other unlawful activities. The acting administrator continues that policy.

Much more serious neglect has occurred at the federal level. For six years, Mullen and the board have not complied with HUD directives.⁵ They filed neither borrower's certificates nor management entity profiles required by a 1994 revision to HUD regulations. Pressure applied to HUD using the Freedom of Information Act (FOIA) resulted in Sheila Sternberg and Lynn Wartnik, co-presidents, retroactively signing and filing those documents on April 22, 2000. By association, this neglect has denied residents the right properly to organize and to present complaints about adverse living conditions to the directors and to HUD for more than six years. It has allowed Mullen to evade the issues by denying access to mandated resident complaint procedures.

Mullen announced his resignation (May 17) as administrator. He sang a heart-rending swan song citing the primary reason for leaving as a need for an increase in salary. This despite receiving a \$5,104.00 (10.63%) increase to \$53,100.00/year and a "generous holiday gift" from the Council House board only four months previously. Less than 30% of the residents attended the meeting. At that meeting, Mullen promised them that the directors would make a national search for a qualified administrator to replace him.

The directors violated both the spirit and intent of federal equal opportunity laws by conspiring to manipulate employment criteria. Those laws preclude discrimination in both housing and employment. They require the directors to advertise in a way that provides equal opportunity to all qualified applicants notwithstanding race, color, creed, national origin, gender, age, or familial status. This means that any qualified resident or current employee may also apply for the position. The directors must by law make their selection based on merit without ethnic or racial prejudice. They must advertise nationally for a competent, permanent administrator or management company according to HUD regulations and publicly show that they have complied with all state and federal laws. They have failed to do so.

The directors appointed a search committee to discuss hiring a replacement administrator. At a committee meeting, they voiced concerns about advertising nationally because it would result in black people applying for the position and conspired to exclude them. Another director gave a negative response, based on ethnicity, when a resident suggested that the Director of Environmental Services, a black person, should interview for the job. Both the committee and that director violated federal laws that prohibit discrimination in housing and employment.

The board of directors appointed Stephen Mitchell acting administrator when Mullen left (02 Jun 00). He started work immediately (05 Jun 00). An unemployed actor, Mitchell has virtually no qualifications for the job and does not meet HUD standards for administrators of financially-assisted HUD buildings. Despite Mitchell's lack of qualifications, Sternberg and Wartnik recommended Mitchell to HUD for the permanent administrator position at \$40,000.00/year (\$13,100.00 less than they paid Mullen). They signed and filed a HUD borrower's certificate and a management entity profile the same day that Mitchell began working as acting administrator. That document contained false and misleading information. Moreover, the directors neither mounted the promised nation-

wide search nor properly advertised the position to comply with the Equal Opportunity Employment Act. Judiciously, HUD has not approved the appointment and the 45 days time frame allowed for action has now expired.

Leon Harris, a Council House resident, asked Mitchell (August 9) for details about when and where the directors had nationally advertised the administrator position. Mitchell feigned ignorance and deferred to Audrey Dunbar, his activities director, who hedged the question. Harris persisted and Dunbar told him (August 11) that the directors will not mount a national search because they cannot afford the cost of relocating a successful candidate. Obviously, this claim to poverty does not ring true when the directors have more than \$250,000.00 deposited in a contingency endowment fund. Harris then questioned Mitchell directly about alleged local advertising. He asked him where and when the directors had placed advertisements relating to the administrator position. Mitchell refused to provide Harris with that public information. In addition, neither Mitchell nor Dunbar have posted the advertisement on the bulletin board to give qualified residents and current employees the opportunity to apply for the position.

The report in *Pygmy Abstracts* (28 July 00) about advertising for a replacement administrator apparently prodded Bradley K. Spear (a Council House director) to act. Spear placed advertisements in *The Jewish Transcript*, Seattle, (11 and 25 Aug 00). One wonders how many *goyim* read that paper and would reply to an advertisement that has obviously biased intent. As an attorney, Spear knows that he must follow the letter also the spirit of the law. He must now mitigate by nationally advertising the position in non-sectarian publications. Neglect to do so will probably result in presently interested organizations hauling him before the civil rights commission and the bar association disciplinary committee.

Lynn G. Stowell, FOIA Officer, HUD-Seattle continues to withhold public records. Under pressure from the US Department of Justice, Washington, DC (DOJ). HUD-Seattle Senior Counsel, David F. Morado, has now released some of them. However, he still unlawfully withholds others apparently to cover up alleged neglect by the HUD project manager, Kathy Klein, who remains responsible for liaison. Moreover, this silent withholding of documents also covers up a pattern and practice by the Council House board of directors. That pattern shows intentional and repeated violation of rights granted to residents under the constitution and by federal law.

Klein recently approved an increase in food service fees to cover up a \$24,328.00 (23.41%) cost overrun caused by Mullen's bungling. HUD-Seattle has refused to provide copies of the public records supporting this contention which has resulted in another appeal to a DOJ official. That official has evidently ordered HUD-Washington DC to release the financial records silently withheld by HUD-Seattle. However, documents obtained from other sources verify the amount of a food service cost overrun charged back to residents. Council House residents must now pay \$10.00/month in perpetuity to cover expenditures incurred through administrative incompetence:

an unacceptable burden upon people trying to survive on a fixed income. An audit investigation of these questionable charges may eventually force the directors to refund to residents any charges for food service made to them unlawfully.

Sternberg and Wartnik (with their board of directors) continue to violate the Equal Employment Opportunity laws. They avoid giving the administrator job to a black person (or any other minority considered unacceptable) by not properly advertising the job. This ploy effectively precludes minority people from applying and contravenes Fair Housing/Equal Opportunity Requirements. When the administrator and the directors discriminate against job applicants they violate their contract with HUD and can face serious criminal penalties.⁶

Moreover, HUD directives require the directors to appoint a qualified administrator not a cheap mullet clone who panders to the ethnically motivated wishes of the directors. Administrators should manage buildings. They should not try to influence the minds of residents with their prejudicial ideologies and coercion.

Any attempt to appoint Mitchell to the permanent position should receive thorough investigation by federal authorities. He has already escalated the untenable and unlawful situation that he inherited from Mullen. More than three months experience shows a continuance of those policies using Dunbar as his public relations flack (propagandist).

Council House needs an administrator and a service coordinator qualified according to HUD criteria with selection based only upon merit and experience and not upon ethnicity or degree of subservience. It also needs a competent book-keeper/secretary, a qualified security person, and an industrious maintenance staff. Facilities designed for independent living do not need in-house services like activity directors and housekeepers or employees willing to break laws and subserve to dictatorial and prejudiced directors. Activity directors and housekeepers cater to only a few preferred residents who can obtain better services locally. Using outside services will probably result in better service and relieve the unnecessary drain on Council House resources. The salary savings can then go toward paying a competent administrator, properly.

The important thing remains: the Council House directors must abandon their discriminatory policies and fire their oligarches. By law, they must appoint the most qualified administrator that they can find for the job after a nationwide search. They must select all management personnel only on merit and experience and not on the grounds of race, color, creed, national origin, gender, age, or familial status. The Council House ethnic mix remains morally and legally irrelevant when deciding about employees. The US congress has decreed that landlords may not use their power to impose their ideology or religion through coercive persuasion of residents. Moreover, enforcement of discrimination laws removes the power of bigoted landlords who personally despise and oppress residents of ethnic groups different from their own.

Nmesis. **Full Text** <http://www.contracabal.org/801-06.html>

1. Elsa C. Arnett, Struggles to unite blacks and Jews but economic forces divide, *Seattle Times*, 12 August 2000.
2. Frederick Schweitzer, Manhattan College, New York.
3. US Department of Housing and Urban Development, *HUD Directive #4381.5 (Rev-2)*, 2.3(d).
4. RCW 24.03.395 and WAC 434-110-120(d).
5. US Department of Housing and Urban Development, *HUD Directive #4381.5 (Rev-2)* and *4350.1*, generally.
6. US Department of Housing and Urban Development, *HUD Directive #4381.5 (Rev-2)*, 7.3(b)(5).