CHELAN COUNTY
LAND USE HEARING EXAMINER

IN THE MATTER OF	)	**FINDINGS OF FACT,**
	)	**CONCLUSIONS OF LAW, AND**
AA 25-319	)	**DECISION**
Stansbury	)	

THIS MATTER having come on for hearing in front of the Chelan County Hearing Examiner on February 18, 2026, the Hearing Examiner having taken evidence hereby submits the following Findings of Fact, Conclusions of Law, and Decision as follows:

I. FINDINGS OF FACT

1. GENERAL INFORMATION

Project Location:	1114 Blazing Star Ln, Chelan, WA 98816
Parcel Number:	28-23-31-430-030
Abbrev. Legal Description:	T 28N R 23EWM S 31 LOT 18 CE# 2001-003 SW SE 20.0000 ACRES
Owner:	Erin C Stansbury & Nainon Phairin
Agent:	Erin Stansbury
Zoning District:	RR20- Rural Residential/Resource
Existing Land Use & Site History	Used as an STR since 2022; home build completed in 2021

2. APPLICATION & PUBLIC HEARING NOTICE COMPLIANCE

Incomplete & Inconsistent:	November 18, 2025
Appeal Submitted:	December 4, 2025
Notice of Public Hearing:	December 27, 2025
Public Hearing:	February 4, 2026

3. On October 26, 2025 a short-term rental permit renewal application was submitted on the Rentalscape platform at 4:39 PM. This was within the on-time renewal timeline of September 1 – October 31.

4. On November 17, 2025 STR Staff began processing the renewal and noted two prior transfers had occurred. The application review was performed using the version of the STR code adopted in 2021 as the transfers took place before the STR code amendments were adopted February 18, 2025 (Exhibit F).

5. Per Chelan County Code (CCC) 11.88.290 (4)(I)(i)- With a conforming short-term rental the permit is not transferable, even in the event of death or divorce of an owner.

6. To qualify for any transfer, the STR permit would have to be a nonconforming STR permit permitted according to 11.88.290(2)(E). This permit was not nonconforming.
7. The original owners/applicants of the STR permit for this property were Erin C Stansbury and Kelly L Woznicki.
8. The first transfer was recorded September 6, 2024 under AFN# 2598702 to Sky Mountain LLC with Erin Stansbury being the only listed Governor (Exhibit D). This was not reported to Staff. Staff stated that had it been reported, the STR permit would have been canceled at that time.
9. The second transfer was recorded December 12, 2024 under AFN# 2602264 away from the LLC to Erin C Stansbury and Phairin Nainon (Exhibit E). This recording was completed one day after the 2025 STR permit was issued. The permit holder and property owner names were not updated in the online renewal submission process which would have alerted Staff to the change at that time.
10. Per CCC 11.88.290(4)(D)(v)(d)- "…or property is found to be out of compliance with this or other titles of Chelan County land use or development codes, is therefore ineligible for a short-term rental permit. The applicant shall not receive any further processing of their application. Once denied, the applicant shall not be eligible for rental permit application until such time as the owner can show compliance with Chelan County regulations, and then must reapply to restart the process."
11. November 18, 2025 a letter was issued denying renewal based upon the STR permit not being eligible for transfer. Denial was sent via USPS as well as via email to estans07@gmail.com (Exhibit A).
12. December 3, 2025 the Appellant submitted a request to appeal the denial along with a request to have the appeal fees waived. The request for an appeal was received timely but was missing payment (Exhibit B).
13. December 4, 2025 Staff emailed the Appellant letting him know that per CCC 14.12.010, to be deemed complete, the request for the appeal and the required appeal fee must both be received timely. We would still accept payment and file the appeal and would note that the complete submission was not received timely (Exhibit C, pg. 9).
14. December 11, 2025 the required appeal fee was received by the Department. At this time, the appeal (AA 25-319) was deemed complete and not timely. The hearing date was set for January 7, 2026 at 9 AM and sent to the Appellant via email December 11, 2025. The Appellant later requested via email on December 19, 2026 to reschedule to the week of January 19, 2026. No hearing times were available for January 21, 2025l the date was then set for February 4, 2026 at 1 PM. As of the date of this report, no further communication from the Appellant has been received.
15. To address items specified in the Appellant's appeal request:
    15.1. Timeliness of the appeal. The Appellant states the appeal period cannot begin until proper service of the determination. Per CCC 14.12.010 (1) "An administrative appeal to the hearing examiner shall be filed with the department within ten working days of the issuance of the decision appealed, together with the applicable appeal fee." The

denial was issued via email November 18, 2025 at 8:31 am. The hard copy was put in the mail the same day.

15.2. Basis for the appeal

15.2.1. The Appellant states no beneficial ownership transfer occurred as the titling into and out of Sky Mountain LLC did not alter beneficial ownership and that Erin Stansbury retained 100% ownership. The transfer into the LLC were covered in items 5 and 6 above. In addition to those items, the transfer out of the LLC back to the Appellant and his current spouse did change the ownership as the Appellant now does not retain 100% to himself, it is now shared with Phairin Nainon. Both changed/transferred ownership.

15.2.2. The Appellant states the removal of a former spouse due to divorce is expressly exempt. This is not the case for a conforming STR permit and is addressed in Finding of Fact item 3.

15.2.3. The Appellant states the addition of his current spouse is expressly exempt and that the ordinance clearly provides that transfers made to benefit a spouse are not transfers. CCC 11.88.290(4)(I)(ii) states "…a transfer does not occur when officers are changed due to death where title is held in survivorship with a spouse or a transfer on the owner's death to benefit only a spouse or child(ren) for the lifetime of the spouse or child(ren)." The addition of Phairin Nainon was not due to a death where the title was held in survivorship.

15.2.4. The Appellant states the LLC retitling was required for banking purposes. Requirements set upon the appellant by their bank do not exempt them from the confines of County code.

16. Staff maintains that the conforming STR permit held by the Appellant was not eligible for a transfer, even in the event of death or divorce of an owner per CCC 11.88.290(4)(I)(i).

17. There are still available permits for the area this property is located. The owners would be welcome to apply for a new STR permit between June 1 – July 31, 2026 and, if approved, would be able to operate as of January 1, 2027.

18. An open record public hearing was held, after legal notice, on February 18, 2026.

19. Appearing and testifying on behalf of the appellant was Erin Stansbury. Mr. Stansbury testified that he was a property owner and appellant in this matter. He stated that he had owned the property since 2021 when the original short term rental (STR) permit was obtained. The Hearing Examiner finds that in fact Mr. Stansbury and his then wife owned the property at that time. He stated that in September 2024 there was a quit claim transferring the property from he and his wife to an LLC in which he was the sole member. Also in September 2024, he testified that the STR permit application was submitted and approved and that the transfer to the LLC did not prevent the renewal of the STR permit. He did not offer any evidence that the County was aware of this transfer. He repeatedly stated that none of the transfers he discussed were sales, meaning that money changed hands. However, the Hearing Examiner finds that transfer from he and his wife to the LLC in which he only was a member, may have relieved him of some financial responsibility on the property. However, there is no loan document of

which the Hearing Examiner is aware indicating that the LLC had assumed the loan given to he and his wife for the purchase of the property.

20. In December 2024, he testified that a bank was requiring him to transfer the property out of the LLC and back to himself and his then current wife. Once again, Mr. Stansbury indicated that no money changed hands in this transaction. However, the Hearing Examiner finds that his financial obligation on the mortgage was reduced because of his new wife's ownership of the property.

21. Mr. Stansbury testified that the new STR code came into effect in February, 2025 and that there had not been any subsequent transfers after the new code took effect. He stated that they applied for a renewal of their STR permit in October of 2025 which was denied. He argued that the denial was based upon the new wording of the code.

22. The Hearing Examiner would find that the County's position is based upon the language stated in the STR code adopted in 2021, and not the revised code.

23. Mr. Stansbury admitted that his former wife was taken off as a named owner of the property because of a divorce. Presumably, that is why he transferred the property from himself and his wife into an LLC in which he was the only member.

24. Mr. Stansbury did not provide any greater explanation about why the bank was requiring the property to be transferred out of the LLC in December of 2024 and into his name and the name of his wife. There is no indication as to why Mr. Stansbury's new wife wouldn't become a member of the LLC. The Hearing Examiner finds that there is circumstantial evidence that the bank didn't authorize the removal of his former wife as an owner of the property, did not authorize the transfer of the property to the LLC and was requiring that the property be transferred back into Mr. Stansbury's name and, because he had remarried, into the name of his new wife.

25. Appearing and arguing on behalf of Chelan County was Kirsten Ryles, Assistant Planning Director for the Chelan County Department of Community Development. She stated that under the code that existed in 2021 conforming STRs were not transferrable even if there was a divorce. There is overwhelming evidence that transfer and ownership of the property occurred on two occasions during the effective date of the 2021 STR code and that on neither of these occasions was the County put on notice of the transfer.

26. It is the County's position that because the ownership of the property was transferred as part of a divorce, and because the STR permit was a conforming permit (as opposed to nonconforming) that the transfer rendered the permit invalid from that point forward.

27. The appellant argued that the County had, essentially, "waived" the right to use the transfers as a basis for denying the renewal permit.

28. While the Hearing Examiner does not have the authority to grant equitable relief, the Hearing Examiner finds that the County was not aware of the prior transfers when it had renewed the appellants STR permit and therefore had not waived any ability to apply the 2021 STR code to this STR permit.

29. The Appellant raises the issue that Chelan County Code 11.88.290(4)(I)(i) and (iii) are inconsistent.

30. The Hearing Examiner finds that the Hearing Examiner is able to read these provisions as consistent with each other.

31. Chelan County Code 11.88.290(4)(I) clearly states that a short term rental permit for a code complying short term rental is permitted according to subsection (4)(D) of this section is only transferable to a new owner under the provisions of 11.88.290(4)(I).

32. 11.88.290(4)(I)(i) deals only with conforming short term rentals, such as that of the appellant. This code prevision clearly provides that the permit is not transferrable even in the event of death or divorce of an owner.

33. 11.88.290(4)(I)(ii) states that it applies to nonconforming short-term rentals which is not at issue in this matter.

34. That leaves as to the issue of the interpretation of 11.88.290(4)(I)(iii). This provision does not specifically address whether it relates to a conforming short-term rental versus a nonconforming short-term rental. However, 11.88.290(4)(I)(i) clearly provides that for a conforming short-term rental such as that of the appellant, the permit is not transferable even in the event of a divorce of the owner. 11.88.290(4)(I)(iii), when describing when a transfer occurs, states that the transfer does not occur when due to a divorce, or a former spouse's name is removed from the deed or corporation.

35. 11.88.290(4)(I)(iii) clearly applies to nonconforming short-term rental transfers as opposed to conforming short-term rental transfers. 11.88.290(4)(I)(i) is clear and not subject to further interpretation. 11.88.290(4)(I)(iii) is only consistent with the remainder of the code if that provision applies to nonconforming short-term rental permits.

36. Reading of the code in the manner set forth above by the Hearing Examiner, 11.88.290(4)(I)(i) and 11.88.290(4)(I)(iii) are not inconsistent with each other.

37. A complete appeal was not timely filed as the appeal fee was not timely received.

38. The following exhibits were admitted into the record:

    38.1. Ex A Denial of STR permit renewal dated November 18, 2025.

    38.2. Ex B AA 25-319 Appeal Application

    38.3. Ex C Emails between Staff and the Appellant

    38.4. Ex D Transfer to LLC

    38.5. Ex E December 29, 2022 emails between applicants and staff.

    38.6. Ex F 2021 STR Code

    38.7. Ex G Staff Report

39. The Chelan County Hearing Examiner considered all evidence within the record in rendering this decision.

40. Any Conclusion of Law that is more correctly a Finding of Fact is hereby incorporated as such by this reference.

II. CONCLUSIONS OF LAW

1. The Hearing Examiner has been granted the authority to render this decision.
2. The appeal fee was not timely paid rendering this appeal untimely.
3. Because one of the STR permit holders transferred their interest in the underlying property, and the original STR permit was conforming, this transfer, due to a divorce, rendered the STR permit to be in violation of the code and not subject to renewal.
4. Any Finding of Fact that is more correctly a Conclusion of Law is hereby incorporated as such by this reference.

III. DECISION

Based on the above Findings of Fact and Conclusions of Law, the denial of the short-term rental permit is hereby **AFFIRMED.**

Dated this 2 day of March, 2026

CHELAN COUNTY HEARING EXAMINER

Andrew L. Kottkamp

Anyone aggrieved by this decision has twenty-one (21) days from the issuance of this decision, to file an appeal with Chelan County Superior Court, as provided for under the Judicial Review of Land Use Decisions, RCW 36.70C.040(3). The date of issuance is defined by RCW 36.70C.040 (4)(a) as "(t)hree days after a written decision is mailed by the local jurisdiction or, if not mailed, the date on which the local jurisdiction provides notice that a written decision is publicly available" or if this section does not apply, then pursuant to RCW 36.70C.040(3) (c) "…the date the decision is entered into the public record." Anyone considering an appeal of this decision should seek legal advice.

Chelan County Code Section 1.61.130 provides that any aggrieved party or agency may make a written request for reconsideration by the Hearing Examiner within ten (10) days of the filing of the written record of decision. The request for reconsideration shall be submitted to the Community Development Department. Reconsideration of the decision is wholly within the discretion of the Hearing Examiner. If the Hearing Examiner chooses to reconsider, the Hearing Examiner may take such further action deemed proper and may render revised decision within five (5) days after the date of filing of the request for reconsideration. A request for reconsideration is not a prerequisite to filing an appeal under Section 1.61.160.

The complete case file, including findings, conclusions, and conditions of approval (if any) is available for inspection during the open office hours at Chelan County Department of

Community Development. Their address is 316 Washington Street, Suite 301, Wenatchee, WA 98801. Their telephone number is (509) 667-6225.