
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).