

CEASE AND DESIST NOTICE

Unlawful Trespass, Encroachment, and Property Damage

Date: December 9th, 2025

To:

Brian Siemer
Elizabeth Siemer
3311 S 2nd Way
Ridgefield, WA 98642

From:

FORMAL NOTICE OF TRESPASS, ENCROACHMENT, AND PROPERTY DAMAGE

This letter serves as **formal legal notice** that you, or individuals acting on your behalf, have engaged in activities that violate Washington State law, including:

1. **Trespass onto my leased property**, in violation of **RCW 9A.52.080** (Criminal Trespass) and **RCW 9A.52.070** (Criminal Trespass 1st Degree).
2. **Encroaching onto my property** by constructing a retaining wall and shed over the property line, constituting a civil trespass under Washington common law and **RCW 7.28** (Actions to Recover Possession of Real Property).
3. **Damaging the slope and soil stability of my property**, which may constitute unlawful injury to property under **RCW 4.24.630**, including liability for triple damages for waste, destruction, or removal of soil.
4. **Creating erosion and landslide hazards**, potentially violating state and local environmental protections.
5. **Storing construction materials against my fence**, amounting to continued and intentional trespass.

These acts were performed **without my knowledge or consent** and have resulted in damage, safety hazards, and disruption of peaceful enjoyment of my leased property.

SETBACK VIOLATIONS (CITY OF RIDGEFIELD)

Under Ridgefield Municipal Code (RMC 18.205, 18.210.040 RLD-4 and related sections), accessory structures such as sheds must maintain a **minimum setback of 10 feet** for Low Density Residential RLD-4.

Your shed is **constructed on or over the property line**, meaning:

- It **fails to comply with Ridgefield setback requirements**
- Any permit obtained does **not** authorize construction on another person's property
- Encroachment remains a **civil violation** regardless of city permitting

Washington law is clear that **no building may be placed on another's land without explicit permission**.

DEMAND FOR IMMEDIATE CORRECTIVE ACTION

You are hereby directed to **CEASE AND DESIST** all ongoing trespass, construction, use, or placement of materials affecting my property.

Further, you are required to take the following steps **within 10 calendar days**:

1. **Remove all building materials from my fence and land.**
2. **Remove the shed and any structural encroachments** from my property.
3. **Restore the slope, soil, and terrain** to their original, stable condition prior to your alterations.
4. **Implement proper erosion control and safety measures** to prevent future landslide risk.
5. **Cease entering my property** without explicit written permission.

Failure to take these actions may result in civil legal action under:

- **RCW 4.24.630** – Liability for damage to land
- **RCW 7.28** – Recovery of real property / ejection
- **RCW 64.12.030** – Liability for wrongful injury to property
- **RCW 9A.52** – Criminal and civil trespass
- Local Ridgefield Municipal Code enforcement actions

Under RCW 4.24.630, landowners may recover **triple damages**, legal fees, and court costs for unauthorized alteration, waste, or destruction of land, soil, or vegetation.

LEGAL NOTICE

If you do not comply with the corrective actions described above, I will pursue **all available remedies**, including:

- Filing civil claims for trespass, encroachment, and property damage
- Requesting City of Ridgefield Code Enforcement involvement
- Filing complaints with Clark County environmental authorities
- Seeking financial damages, restoration costs, and legal fees
- Malicious Mischief (RCW 9A.48), Intentional

This notice is issued **without waiver of any rights or remedies** available under Washington law.

GOVERN YOURSELF ACCORDINGLY.

Signature: _____

