

NOTICE OF CLASS ACTION SETTLEMENT
SUPERIOR COURT OF WASHINGTON FOR SPOKANE COUNTY

IF YOU ARE A PERSON WHO APPLIED TO RENT ANY PROPERTY OWNED OR OPERATED BY DAIICHI OAKWOOD, LLC d/b/a OAKWOOD CLUB APARTMENTS, INC. OR ISHII WASHINGTON PROPERTIES d/b/a McDONALD PLACE APARTMENTS FROM JUNE 27, 2017 TO JULY 12, 2019 AND PAID A TENANT SCREENING FEE AND WERE NOT PROVIDED THE NAME AND ADDRESS OF THE CONSUMER REPORTING AGENCY, AND WERE NOT PROVIDED INFORMATION ON YOUR RIGHT TO OBTAIN AND DISPUTE THE REPORT. A CLASS ACTION SETTLEMENT MAY AFFECT YOUR RIGHTS.

A court authorized this notice. This is not a solicitation from a lawyer.

- Plaintiffs Kara and Brian Howard, individually and as Class Representatives, have sued Daiichi Oakwood, LLC d/b/a Oakwood Club Apartments, Inc and Ishii Washington Properties, LLC d/b/a McDonald Place Apartments (Defendants), claiming it violated the Washington Residential Landlord Tenant Act by charging a fee for a tenant screening report but did not provide the name and address of the consumer reporting agency or inform them of their right to obtain a free copy of the consumer report and ability to dispute the report.
 - **The “Class”.** The Class consists of all individuals who paid a tenant screening fee from June 27, 2017 to July 12, 2019 at either Oakwood Club Apartments or McDonald Place Apartments and were not provided the name and address of the consumer reporting agency, and were not provided information on their right to obtain and dispute the report.
 - Oakwood Club Apartments and McDonald Place Apartments deny any wrongdoing and contend that they complied with Washington Residential Landlord Tenant law.
- The Court has not ruled on the merits of the Plaintiffs’ claims or the defenses raised.
 - While the Court has not decided that Defendants did, or did not do, anything wrong, the parties have settled the matter as a class action, and the Court has given preliminary approval of the settlement.
 - Your legal rights are affected and you have a choice to make now.
 - Your options are explained in this notice. To ask to be excluded, you must act before December 8, 2022, by completing and mailing Attachment “1”, “Request to be Excluded”. Or you can do nothing by December 8, 2022 and stay in the lawsuit and receive settlement funds.
 - **Any questions? Read on and visit www.winstoncashatt.com, choosing "Oakwood & McDonald Apartments Class Action" from the "Class Action" tab.**

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT

YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT	
DO NOTHING BY DECEMBER 8, 2022	<p>Stay in this lawsuit. Give up certain rights.</p> <p>By doing nothing by December 8, 2022, you retain the right to receive settlement money and benefits that come from the settlement. But, you give up the right to sue Defendants separately regarding the same legal claims alleged in this lawsuit.</p>
ASK TO BE EXCLUDED BY DECEMBER 8, 2022	<p>Get out of this lawsuit. Get no benefits from this lawsuit. Keep rights.</p> <p>If you ask to be excluded by December 8, 2022, you will not share in any settlement money. But, you keep any rights to sue Defendants separately on the same legal claims that have been made in this lawsuit.</p>

WHAT THIS NOTICE CONTAINS

BASIC INFORMATION 2

1. Why did I get this notice?2
2. What is this lawsuit about?2
3. What is a class action and who is involved?2
4. Why is this lawsuit a class action?.....2
5. Has the Court decided who is right?2
6. What are the Plaintiffs asking for?.....2
7. Is there any money available now?.....2

WHO IS IN THE CLASS..... 3

8. Am I part of this Class?3
9. Are any individuals who applied at Defendants' properties not included in the Class?3
10. I am still not sure if I am included3

YOUR RIGHTS AND OPTIONS 3

11. What happens if I do nothing at all?3
12. Why would I ask to be excluded.....3
13. How do I ask the Court to exclude me from the Class?3
14. Can I object to the settlement amount?.....4

THE LAWYERS REPRESENTING YOU 4

15. Do I have a lawyer in this case, or should I get my own lawyer?4
16. How will the lawyers be paid?.....4

GETTING MORE INFORMATION..... 4

17. Are more details available?.....4

BASIC INFORMATION

1. Why did I get this notice?

Defendants' records show that you were a prospective tenant that applied at one of Defendants' properties where a fee was paid by you for a background and/or credit report from June 27, 2017 to July 12, 2019. This notice explains that the Court has allowed settlement of a class action that may affect you. You have legal rights and options that you may exercise before December 8, 2022. Judge John Cooney of the Superior Court of Spokane County, State of Washington, is presently overseeing this class action. The lawsuit is known as Kara and Brian Howard, on behalf of themselves and all others similarly situated v. Daiichi Oakwood, LLC d/b/a Oakwood Club Apartments Inc.; and Ishii Washington Properties, LLC d/b/a McDonald Place Apartments, Cause No. 19-2-03996-32.

2. What is this lawsuit about?

The lawsuit is about whether Defendants charged unlawful fees for potential tenant screening in violation of the Washington Landlord Tenant Act (RLTA) RCW 59.18 et seq.

Defendants allege that they did not charge any unlawful fees. You can read Plaintiffs' Complaint and Defendants' Answer at www.winstoncashatt.com and related link "Oakwood & McDonald Apartments Class Action."

3. What is a class action and who is involved?

In a class action, one or more people called "Class Representatives" (in this case, Kara and Brian Howard) sue on behalf of other people who have similar claims. The people together are a "Class" or "Class Members." The individuals who have sued – and all potential Class Members like them – are called the Plaintiffs. The companies they sued (in this case, Daiichi Oakwood, LLC d/b/a Oakwood Club Apartments, Inc.; and Ishii Washington Properties, LLC d/b/a McDonald Place Apartments) are called the Defendants. One court resolves the issues for everyone in the Class – except for those people who choose to exclude themselves from the Class.

4. Why is this lawsuit a class action?

While the Court has not determined whether Defendants did anything wrong, the Court decided that this lawsuit can be settled as a class action as it meets the requirements of Washington State Superior Court Civil Rule 23, which governs class actions in state court.

5. Has the Court decided who is right?

The Court has not decided whether Plaintiffs or Defendants are correct. By establishing the Class and issuing this Notice, the Court is not suggesting that either party is correct.

6. What are Plaintiffs asking for?

Plaintiffs contend that they should receive compensation for themselves and all Class Members for being charged unlawful fees for potential tenant screening in violation of the Washington Landlord Tenant Act (RLTA) RCW 59.18 et seq.

7. Is there any money available now?

The parties have stipulated to a settlement that will provide funds in the amount of \$40.00 per class member, exclusive of other agreed disbursements as part of the settlement.

WHO IS IN THE CLASS

You need to decide whether you are affected by this lawsuit.

8. Am I part of this Class?

Judge John Cooney has ordered implementation of the parties' Stipulated Settlement Agreement allowing claims by all potential tenants for unlawful fees for potential tenant screening in violation of the Washington Landlord Tenant Act (RLTA) RCW 59.18 et seq.

9. Are any individuals who applied at Defendants' properties not included in the Class?

Individuals who became tenants at Defendants' properties, or who were not allegedly charged unlawful fees, are not included.

10. I am still not sure if I am included.

If you want to be excluded from the lawsuit, you need to ask to be excluded. If you exclude yourself – which also means to remove yourself, and is called “opting-out” – you will not get any money or benefits from this lawsuit. However, if you “opt-out” of this lawsuit, you retain the individual right to sue Defendants for allegedly charging unlawful fees for potential tenant screening in violation of the Washington Landlord Tenant Act (RLTA) RCW 59.18 et seq. If you exclude yourself, you will not be legally bound by the Court approved settlement.

If you start your own lawsuit against Defendants after you exclude yourself, you will have to hire your own lawyer for that lawsuit, and you will have to prove your claims. If you do exclude yourself so you can start your own lawsuit against Defendants, you should talk to your own lawyer soon, because your claims may be subject to a statute of limitations.

If you are still unsure whether you are included, you may call or write to the lawyers in this case, at the phone number or address listed in question 17.

YOUR RIGHTS AND OPTIONS

You must decide now whether to stay in the lawsuit or ask to be excluded from the lawsuit.

11. What happens if I do nothing at all?

You do not have to do anything now if you want to keep the possibility of getting money or benefits from this lawsuit. By doing nothing before December 8, 2022, you are staying in the lawsuit. Keep in mind that if you do nothing by December 8, 2022, you will not be able to sue, or continue to sue, Defendants – as part of any other lawsuit – concerning the same legal claims that are the subject of this lawsuit. You will also be legally bound by all of the Orders the Court issues and judgments the Court makes in this class action.

12. Why would I ask to be excluded?

You can ask to be excluded if you do not want to be a party to a lawsuit, or if you don't believe you were harmed by any alleged conduct by the Defendants.

If you want to be excluded from the lawsuit, you need to ask to be excluded. If you exclude yourself – which also means to remove yourself, and is called “opting-out” – you will not get any money or benefits from this lawsuit and settlement. However, if you “opt-out” of this lawsuit, you retain the individual right to sue Defendants for allegedly charging unlawful fees for potential tenant screening in violation of the Washington Landlord Tenant Act (RLTA) RCW 59.18 et seq. If you exclude yourself, you will not be legally bound by the Court approved settlement in this class action.

13. How do I ask the Court to exclude me from the Class?

To ask to be excluded, you must sign and return the enclosed Request to be Excluded form (Attachment "1") to:

Winston & Cashatt, Lawyers
Attn: Oakwood & McDonald Class Action
601 W. Riverside, Suite 1900
Spokane, Washington 99201

Your Request to be Excluded must be postmarked by December 8, 2022.

14. Can I object to the settlement amount?

A hearing (the "Final Settlement Hearing") will be held before the Honorable John Cooney on December 16, 2022 at 9:30 a.m. at the Spokane County Superior Court, Spokane, Washington, to determine whether the proposed settlement is fair, adequate, and reasonable and should be approved by the Court. The Hearing may be adjourned by the Court from time to time as the Court may without further notice direct.

Any Class Member may appear in person or through counsel at the Settlement Hearing and be heard as to why the proposed settlement should not be approved as fair, adequate, and reasonable. To object, Class Members must provide written notice of their intention to appear at the Settlement Hearing and object, together with copies of all papers and briefs proposed to be considered by the Court at the Settlement Hearing. A Class Member's notice of objection must be filed with the Court and served personally on or before December 12, 2022 to both sets of attorneys at the following locations:

Kirk D. Miller, P.S.
421 W. Riverside Avenue
Suite 660
Spokane, WA 99201

and,

Kammi M. Smith
Timothy R Fischer
Winston & Cashatt Lawyers
601 W. Riverside
Suite 1900
Spokane, WA 99201

Any member of the Settlement Class who does not make and serve his or her written objections in the manner provided above shall be deemed to have waived such objections and shall be foreclosed from making any objections (by appeal or otherwise) to the proposed Settlement.

You are not required to attend this Hearing unless you plan to object to the Settlement and want your objection to be considered. Any Class Member who is satisfied with the proposed Settlement need not appear at the Settlement Hearing.

**THE LAWYERS
REPRESENTING YOU**

15. Do I have a lawyer or should I get my own Lawyer?

The Court decided that the law firms of Kirk D. Miller, P.S. and Cameron Sutherland, PLLC of Spokane, Washington are qualified to represent you and all the Class Members in this action. Kirk D. Miller, P.S. and Cameron Sutherland, PLLC are referred to as "Class Counsel." They are experienced in handling similar consumer class action cases against other defendants. There are three attorneys assigned to this matter: Kirk Miller, Brian Cameron, and Shayne Sutherland.

You do not need to hire your own lawyer because Class Counsel is working for all Members of the Class; however, if you want your own lawyer, you will be responsible for paying that lawyer. If you hire a lawyer to represent you, that lawyer may appear in court and speak for you.

16. How will the lawyers be paid?

The Class Settlement provides that fees shall be paid to Class Counsel in the manner by Defendants directly, in the manner set forth in the settlement.

GETTING MORE INFORMATION

17. Are more details available?

Yes – visit the website www.winstoncashatt.com and the related link "Oakwood & McDonald Apartments Class Action", where you will find the pleadings and orders filed with the Court in this lawsuit. You may also speak to Class Counsel by calling

(509) 413-1494

or by writing to Class Counsel at:

Kirk D. Miller, P.S.
421 W. Riverside Avenue
Suite 660
Spokane, WA 99201

Please do not contact the Court for more details about this lawsuit.



JUDGE JOHN COONEY

DATED: Sept. 16, 2022

Attachment 1

REQUEST TO BE EXCLUDED

I have read the foregoing notice of a class action by Kara Howard and Brian Howard, individually and on behalf of the other people with similar claims. **I do not wish to be a member of the Class.** I understand that by filling out this form and returning it, postmarked no later than December 8, 2022, **I will not be a part of this lawsuit nor will I receive any part of the settlement money.**

DO NOT WRITE ANY INFORMATION ON THIS FORM OTHER THAN AS REQUESTED BELOW.

Dated: _____

Signature

Name (print)

Address

City, State, Zip Code

Telephone number

Email Address

PLEASE FOLD AND TAPE OR STAPLE FOR MAILING. NOTICE THE MAILING ADDRESS IS PRE-PRINTED ON THE OTHER SIDE OF THIS FORM.

Oakwood & McDonald Apartments Class Action
c/o Winston & Cashatt, Lawyers
601 W. Riverside Ave., Suite 1900
Spokane, WA 99201