

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

RYAN DALEY and ISAAK CURRY, on
behalf of themselves and others similarly
situated,

Plaintiffs,

v.

GREYSTAR REAL ESTATE PARTNERS,
LLC, a Delaware limited liability company;
GREYSTAR MANAGEMENT SERVICES
LP, a Delaware corporation; and GREYSTAR
RS WEST, LLC, a Delaware limited liability
company,

Defendants.

Case No. 2:18-cv-00381-SMJ

DECLARATION OF SETTLEMENT ADMINISTRATOR

I, RYAN ALDRIDGE, hereby declare as follows:

I. INTRODUCTION

1. ***Personal Information.*** I am a Project Manager for Postlethwaite & Netterville, APAC (“P&N”). P&N was retained as the Settlement Administrator in this case, and, as the project manager, I am personally familiar with the facts set forth in this declaration. If called as a witness, I could and would competently testify to the matters stated herein.
2. ***The Capacity and Basis of this Declaration.*** I am over the age of 21. Except as otherwise noted, the matters set forth in this Declaration are based upon my personal knowledge, information received from the parties in this proceeding (the “Parties”), and information provided by my colleagues at P&N and our partners.

II. BACKGROUND

3. ***Preliminary Approval.*** On July 8, 2021, the Court entered its order preliminarily approving the Settlement Agreement and the appointment of P&N as Settlement Administrator. After the Court's preliminary approval of the Settlement, P&N began to implement and coordinate the notice program.
4. ***The Purpose of this Declaration.*** I submit this Declaration to evidence P&N's compliance with the terms of the Preliminary Approval Order and detail P&N's execution of its role as the Settlement Administrator.

III. CLASS NOTICE PROGRAM EXECUTION

5. ***Notice Database.*** P&N maintains a database of 77,492 Settlement Class Members ("Class Notice List") accounting for 81,745 application fees. P&N received the class data in two files from counsel for Greystar Real Estate Partners, LLC. File #1 contained email addresses, mailing information, and the property at which the application fee was paid for the period of June 9, 2016 through August 3, 2020 (80,942 records). File #2 contained email addresses, mailing information, and the property at which the application fee was paid for the period of August 4, 2020 through August 13, 2020 (803 records). After consolidating File #1 and File #2 and de-duplicating the records based on name, address, and email address, P&N determined that 77,492 unique Class Members existed to which notice should be issued as outlined within the Settlement Agreement.
6. ***Email Notice.*** Beginning on August 12, 2021, P&N caused Email Notice to be sent to the 69,263 email addresses on the Class Notice List that passed the hygiene and verification process. Ultimately, the Email Notice was successfully delivered to 68,733 email addresses, or 99.2% deliverability. A true and correct copy of the Email Notice sent to those identified on the Class Notice List is attached hereto as **Exhibit A**.

7. **Mail Notice.** P&N coordinated and caused the mailing of the Postcard Notice via First-Class Mail to Settlement Class Members for which (a) an Email address was not available or an Email Notice was not successfully delivered and (b) a mailing address was available from the class data. The Postcard Notice included the web address to the case website for access to additional information, rights and options as a Class Member and the dates by which to act on those options, the date and location of the Final Approval Hearing, and the return address of the P.O. Box maintained for the purpose of receiving undeliverable Postcard Notices in connection with this Settlement. A true and correct copy of the Postcard Notice is attached hereto as **Exhibit B**.
8. **Mail Notice Delivery.** Prior to the mailing, all mailing addresses were checked against the National Change of Address (NCOA) database maintained by the United States Postal Service (“USPS”). In addition, the addresses were certified via the Coding Accuracy Support System (CASS) to ensure the quality of the zip code, and verified through Delivery Point Validation (DPV) to verify the accuracy of the addresses. P&N executed Postcard Notice mailings to 2,515 (3.2%) Settlement Class Members and supplemental mailings to 221 (0.3%) Class Members whose initial Postcard Notices were not deliverable but for whom we were able to obtain an alternative mailing address through (1) forwarding addresses provided by the USPS, (2) via skip trace searches using the LexisNexis third party vendor database, or (3) requests received directly from Settlement Class Members.
9. **Settlement Post Office Box.** P&N maintains the following Post Office Box (the “P.O. Box”) for the Settlement Program:

Daley et al. v. Greystar Real Estate Partners, LLC
c/o Settlement Administrator
PO Box 3376
Baton Rouge, LA 70821-1429

This P.O. Box serves as a location for the USPS to return undeliverable program mail to P&N and for Settlement Class Members to submit Exclusion Request Forms and other settlement related correspondence. The P.O. Box address appears prominently in all Notices and in multiple locations

on the Settlement Website. P&N monitors the P.O. Box daily and uses a dedicated mail intake team to process each item received.

10. **Settlement Website.** On August 12, 2021, a neutral, informational Settlement Website, www.AppFeeSettlement.com, was created to provide Settlement Class Members access to the Claim Form, Notices, Settlement Agreement, and other relevant documents. The Settlement Website also includes relevant dates, answers to frequently asked questions, instructions for how Settlement Class Members may opt-out (request exclusion) from or object to the Settlement, contact information for the Settlement Administrator, and provides Settlement Class Members with the ability to submit a claim using the online claim form and instructions for completing a claim submission. As of October 13, 2021, the Settlement Website has received 32,741 page views from 12,291 unique visitors.
11. **Toll-Free Number.** P&N established a toll-free telephone number, 1-844-326-7442 (the “Toll-Free Number”), which is available twenty-four hours per day. Settlement Class Members can call and interact with an interactive voice response (“IVR”) system that provides important settlement information and offers the ability to leave a voicemail message to address specific requests or issues. The Toll-Free Number appeared in all Notices, as well as in multiple locations on the Settlement Website. The Toll-Free Number will remain active through the close of this Settlement Program. As of October, 13, 2021, P&N has received 127 calls to the toll-free number.
12. **Email Support.** P&N established an Email address, info@AppFeeSettlement.com, to provide an additional option for Settlement Class Members to address specific questions and requests to the Settlement Administrator for support. As of October 13, 2021, P&N received 282 emails to the Email address established for the settlement.

IV. NOTICE PROGRAM REACH

13. **Notice Reach Results.** Through the Notice procedures outlined above, P&N attempted to send direct notice to all 71,778 (92.6%) Settlement Class Members for which an Email address passed verification or a mailing address was available. The Notice Program reached a total of 70,106 (90.47%) Settlement Class Members.¹ Table 1 below provides an overview of dissemination results for the Notice Program and Table 2 provides an overview of the reach statistics for the Notice Program.

Table 1: Notice Program Dissemination Results		
Description	Volume (#)	Percentage of Class Members (%)
Class Members	77,492	100.0%
E-Mail Notices		
Total E-Mail Notices Sent	69,263	89.38%
Total E-Mail Notices Delivered	68,733	88.70%
Total E-Mail Notices Bounced/Undeliverable	530	0.68%
Mail Notice		
Total Postcard Notices Mailed	2,515	3.25%
Total Postcard Notices Returned as Undeliverable	1,318	1.7%
Mail Notice Re-Mailed		
Total Postcards Re-Mailed	221	0.3%
Total Undeliverable (Re-Mailed) Postcards	45	0.1%

Table 2: Notice Program Reach Statistics		
Description	Volume (#)	Reach (%)
Class Members	77,492	100%
Received E-mail Notice	68,733	88.70%
Received Post Card Notice	1,373	1.77%
Received Direct Notice	70,106	90.47%

¹ A Settlement Class Member is considered "reached" by direct Notice if a Postcard Notice mailed to the Settlement Class Member has not been returned by the USPS as undeliverable.

V. SUPPLEMENTAL NOTICE

14. ***Supplemental Email Notice.*** In addition to the Court approved notice program detailed in sections III and IV, P&N initiated a supplemental reminder Email notice campaign to all Settlement Class Member for whom an email was previously delivered, but had not submitted a claim as of the date of the reminder email. The supplemental email campaign commenced on September 20, 2021. P&N sent the supplemental email 62,689 Class Members with 62,482 (99.67%) emails delivered.

VI. NOTICE PLAN CONCLUSION

15. ***Notice Plan Conclusion.*** The Notice Plan described herein was implemented to meet the requirements of Federal Rule of Civil Procedure 23 and satisfies due process.

VII. CLAIM ACTIVITY

16. ***Claim Intake and Processing.*** The online claim submission feature was available beginning August 12, 2021 and removed from the Settlement website at the end of the claims period on September 28, 2021 at 12:00 AM HST/6:00 AM EST. P&N shall continue to analyze claims that have already been received as well as any additional timely claims mailed to the P.O. Box and postmarked by the claim filing deadline. Table 3 below provides summary statistics of claim submissions and current dispositions.

Table 3: Claims Activity Statistics (as of October 13, 2021)		
Description	Volume (#)	Claims Rate (%)
Online Claims Received	8,293	10.70%
Paper Claim Forms Received	143	0.18%
Total Claims Received	8,436	10.86%
(-) Invalid Claim Submissions	130	0.16%
(-) Late Paper Claim Forms	2	<0.01%
(-) Duplicates	14	0.02%
Net Valid Claims	8,290	10.70%
Total Settlement Class Members	77,492	

VII. EXCLUSIONS AND OBJECTIONS

17. *Exclusions (Opt-Outs) Received.* The Settlement Agreement states that “A Settlement Class Member may request to be excluded from the Settlement Class by sending a written request postmarked on or before the Objection/Exclusion Deadline to the Settlement Administrator providing his/her name and address, a signature, the name and number of the case, and a statement that they wish to be excluded from the Settlement Class for purposes of this Settlement.” P&N received two (2) exclusion requests from Settlement Class Members. A listing and copies of all exclusion request submissions are attached as **Exhibit C**.

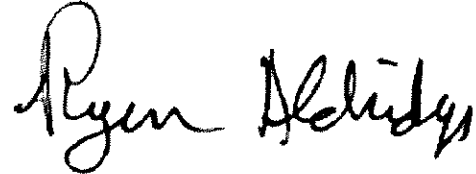
18. *Settlement Objections.* The Settlement Agreement directed that objections be filed with the Court. P&N has not received any objections from Settlement Class Members. The Parties informed P&N that two (2) Settlement Class Member objected the Settlement. One of the objections was to the process and form of the class notice given. However, that Settlement Class Member received the Email Notice on August 14, 2021 and September 20, 2021, and opened the notices on August 16, 2021, September 25, 2021, and September 27, 2021. Regarding the second objection, the Class Member's only concern was a misunderstanding that was corrected by Class Counsel.

VIII. NOTICE AND ADMINISTRATION COSTS

19. *Notice and Administration Costs.* P&N has incurred \$39,916 in fees and costs completing the notice plan and administering the Settlement, and anticipates the costs to remain below the \$100,000 administrative budget allotted in the Settlement Agreement.

IX. CERTIFICATION

I, Ryan Aldridge, declare under the penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. Executed on this 13th day of October, 2021 at Baton Rouge, Louisiana.

A handwritten signature in black ink that reads "Ryan Aldridge". The signature is written in a cursive style with a large initial "R".

Ryan Aldridge

Exhibit A

(Email Notice)

Settlement Notice: Daley et al. v. Greystar Real Estate Partners, LLC, et al.

App Fee Settlement Administrator <notice@pnclassaction.com>
Reply-To: Info@AppFeeSettlement.com
To: Test@Email.com

Settlement Claim ID: XXX-123456

COURT-APPROVED CLASS ACTION SETTLEMENT NOTICE

Dear Class Member,

You have received this email because you may be a Class Member and eligible for a payment from a settlement in *Daley et al. v. Greystar Real Estate Partners, LLC, et al.* No. 2:18-cv-00381-SMJ (E.D. Wash.).

To be eligible for benefits in this matter, you must file a claim by **September 27, 2021**, using the unique claim ID above. Claim Forms are available at www.AppFeeSettlement.com. More information can be found in the full summary notice below or on the case website at www.AppFeeSettlement.com.

**If You Paid A Tenant Screening Fee To Greystar Between June 9, 2016
And August 13, 2020, You Could Be Entitled To Benefits Under A Class
Action Settlement.**

*The United States District Court for the Eastern District of Washington authorized this Notice.
This is not a solicitation from a lawyer.*

A proposed settlement of a class action lawsuit relates to allegations that Greystar Real Estate Partners, LLC, Greystar Management Services, L.P., Greystar RS West, LLC. ("Greystar") ("Defendants") charged a tenant screening fee and failed to provide required disclosure prior to obtaining screen reports in violation of state law. The case is known as Daley et al. v. Greystar Real Estate Partners, LLC, et al., No. 2:18-CV-00381-SMJ (E.D. Wash.) ("Action").

What is the lawsuit about?

In the Action, the Plaintiffs claimed, among other things, that Defendants charged tenant screening fees without first providing required disclosures to prospective tenants, in violation of Washington State law. Defendants claim they have abided by

7/27/2021

all state and federal laws, and that the Action is not well grounded in law or fact. As part of the proposed settlement, Defendants do not admit to any wrongdoing, maintain their compliance with the law, and continue to deny the allegations against them.

Who is included?

You are a Class Member if you applied to rent any property in the state of Washington where the rental property, on the date of the application, was owned or managed by Defendant Greystar, or where Defendant Greystar was a “landlord” of the property as defined by RCW 59.18.030(15) and paid any tenant screen fee to Defendant or its affiliates. between June 9, 2016 and August 13, 2020.

What does the settlement provide?

Defendants have agreed to pay a total settlement amount of \$2,500,000 which will be used to create a Settlement Fund to pay cash awards to Settlement Class Members who submit a valid and timely claim, pay Class Counsel’s attorneys’ fees and costs, pay an incentive award to the Representative Plaintiffs, and pay costs and expenses of settlement administration.

What are your options?

Submit A Claim: To receive Settlement benefits, you must complete and submit a Claim Form. Claim Forms are available at www.AppFeeSettlement.com and can be submitted electronically or mailed to the Class Administrator. A Claim Form must be **submitted online or postmarked by September 27, 2021.**

Opt-Out or Object: If you opt-out, you will retain your rights to sue Defendants separately, however, you will not be eligible to receive any benefits. You must submit a request for exclusion. An example exclusion form is available at www.AppFeeSettlement.com. Requests for exclusion must be **postmarked on or before September 27, 2021.** Detailed instructions are available on the Settlement Website.

You may also object to any part of this Settlement. Details about how to object are available at the Settlement Website. Objections must be filed with or mailed to the Court **on or before September 27, 2021.**

Do Nothing: If you do nothing, you will not be eligible to receive any benefits and will be bound by the terms of the Settlement Agreement and Final Judgment.

Has the Court approved the settlement?

7/27/2021

Gmail - Test - Settlement Notice: Daley et al. v. Greystar Real Estate Partners, LLC, et al.

No. The Court will hold a Fairness Hearing at 9:00 AM on January 11, 2022, at the United States District Court for the Eastern District of Washington, 920 West Riverside Avenue, Spokane, Washington, 99210. At this hearing, the Court will consider whether the settlement is fair, reasonable, and adequate. If there are objections, the Court will consider them. Judge Mendoza will listen to people who have asked to speak at the hearing. The Court will also consider whether to approve the requested fees, costs, and Service Award. After the hearing, the Court will decide whether to approve the settlement. We do not know how long these decisions will take.

How Do You Get More Information?

This notice is only a summary. To obtain a detailed Notice of Class Action Settlement, find answers to common questions about the settlement plus other information, including a copy of the Settlement Agreement, visit www.AppFeeSettlement.com.

Daley et al. v. Greystar Real Estate Partners, LLC.

P.O. Box 3376

Baton Rouge, LA 70821

[Unsubscribe](#) - [Unsubscribe Preferences](#)

Exhibit B

(Postcard Notice)

Who is included? You are a Class Member if you applied to rent any property in the state of Washington where the rental property, on the date of the application, was owned or managed by Defendants, or where Defendants were a “landlord” of the property as defined by RCW 59.18.030(15) and paid any tenant screen fee to Defendants or its affiliates.

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1-844-326-7442

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Visit www.AppFeeSettlement.com or call 1-(844)-326-7442 for more information.

Daley v. Greystar Class Action Settlement
P.O. Box 3376
Baton Rouge, LA 70821

PRESORTED
FIRST CLASS
U.S. POSTAGE
PAID
FPI

ELECTRONIC SERVICE REQUESTED

Settlement Claim ID: [CLAIM ID]
[FIRST NAME] [LAST NAME]
[ADDRESS]
[ADDRESS]
[CITY] [STATE] [ZIP]



Postal Service: Do Not Mark or Cover Barcode

10/20/21

Exhibit C

(Exclusion Request)

