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We have your dog ...

Towing company delivers an ultimatum it's not allowed to make

By Allan Classen

The towing company has our dog, and if we don't pay in four minutes, she will be held overnight and turned over to the county.

That's the panicked message Frank Zdybel got from his friend Ken Allen about Jade, the Staffordshire terrier Zdybel raised for two years when Allen was in Europe.

Allen had parked in the lot in front of Walgreen's at Northwest 21st and Burnside while he went across the street to pick up his girlfriend after work. He said he was gone only 15 minutes, but Retriever Towing got there first.

So he walked about 2 miles to Zdybel's condo on Northwest Upshur Street, where he phoned the tow company and got the ultimatum.

"When Ken complained that this was outrageous, he was informed by the dispatcher that this is 'city approved policy,'" said Zdybel.

Zdybel then got on the line.

"The employee manning the towing yard assured us the dog could not be released short of getting the car fully out of impound, and again that this was 'city-approved policy.'"

Zdybel persuaded the attendant to wait 10 minutes, hurried to Retriever's lot at 1551 NW Quimby St., and paid the \$214 "ransom" to get the car and free Jade.

"Jade is 13 years old, which is about 90 in equivalent human years, and I would just as soon leave my own mother, who is about that age, locked in a car for 12 hours without food, water, suitable sanitary arrangements, companionship or supervision. Consequently I paid the impound charges on Ken's car from my own pocket so the dog could be released immediately."

The bill included "city approved" charges such as a \$14.75 "data service fee" and a \$25 "release/gate fee."

"The fees they're charging are also outlandish," he said. "Half hour on the scene? Ken wasn't gone from his car that long. Photo fee? Long odds no picture was taken. Data service fee? Newspaper fees? Gate fee? This reads like something out of a cartoon. Why has the city approved this racket? ... Yeah, I'm mad.

"I feel this is extortionate, as I have had my car towed clear across Northwest to the BMW dealer in Goose Hollow for half this amount," he added.

The next day, Zdybel began making calls and learned that Retriever Towing had indeed "obtained money by abuse of one's office or authority."

City law did not require that Jade be surrendered to the county animal control shelter, said Margie Sollinger of the city Ombudsman's office.

"You should have been able to get Jade out without necessarily getting the car," Sollinger wrote in an email to Zdybel.

She explained that the towing company must "exercise reasonable care for the welfare of an animal in a towed vehicle, and that if the vehicle has not been released within two hours after it reaches the impound lot, the tower shall contact animal control to arrange for the animal to be taken into protective custody."

Threatening to first hold Jade 12 hours and then call Multnomah County would not meet this standard, confirmed Marian Gaylord, who handles towing complaints for the city.

Gaylord said Retriever, the city's busiest towing company, also draws the most complaints regarding tows from private property. It attracted 20 complaints this year, compared to 15 and seven against the next two highest companies.

"We've had some issues with them," she said. "Sometimes they're so focused on their income."

Due to intervention by her office, "They've given back a lot of money over the years."

The Examiner called Retriever Towing and asked for a response. An unnamed man said, "We have no comment on the story. Thank you."



Frank Zdybel returns with Jade to the Retriever Towing impound lot, where Jade was held to coerce payment of towing charges.