


**BEFORE THE HEARING OFFICER  
ALLEGHENY COUNTY HEALTH DEPARTMENT**

|                    |   |                             |
|--------------------|---|-----------------------------|
| MARVIN TALIAFERRO, | ) | Docket no.: ACHD-22-054     |
|                    | ) |                             |
| Appellant,         | ) | In re: 1023 Franklin Street |
|                    | ) |                             |
| v,                 | ) |                             |
|                    | ) |                             |
| ALLEGHENY COUNTY   | ) |                             |
| HEALTH DEPARTMENT, | ) |                             |
|                    | ) |                             |
| Appellee.          | ) |                             |

**ORDER REMANDING MATTER TO HOUSING AND COMMUNITY ENVIRONMENT**

AND NOW, this 31<sup>st</sup> day of May, 2023, it is ORDERED that the above-captioned matter is remanded to the Allegheny County Health Department (“ACHD”) Housing and Community Environment Program (“HCE”) for recalculation of the Penalty Assessment Letter issued to Appellant Marvin Taliaferro on July 18, 2022. As discussed in the attached Memorandum Opinion, HCE shall recalculate the administrative penalty in consideration of our finding that 1023 Franklin Street was occupied by Mr. Kenneth Goldsmith until July 2022; that Mr. Goldsmith was responsible for maintaining his personal property at 1023 Franklin until he vacated the premises; and that Appellant was prohibited by the Pennsylvania Landlord and Tenant Act from disposing of Mr. Goldsmith’s personal property while he remained an occupant of 1023 Franklin Street. HCE need not recalculate the administrative penalty as it concerns violations of ACHD Article VI §§ 622 and 624, as Appellant did not challenge the existence of those violations in his July 28, 2022, Notice of Appeal.

The parties have thirty (30) days to file an appeal of this decision to the Allegheny County Court of Common Pleas pursuant to 42 Pa.C.S.A § 5571(b) and ACHD Art. XI § 1110.

/s/   
\_\_\_\_\_  
John W. McGowan, Esquire  
Hearing Officer  
Allegheny County Health Department