

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


R.S.F. INVESTMENT, LLC,	)	Docket no.: ACHD-23-004
	)	
Appellant,	)	In re: 527 El Court
	)	
v.	)	
	)	
ALLEGHENY COUNTY	)	
HEALTH DEPARTMENT,	)	
	)	
Appellee.	)	

**ORDER DISMISSING APPELLANT’S NOTICE OF APPEAL**

AND NOW, this 13<sup>th</sup> day of April, 2023, it is ORDERED that the Appeal filed on January 13, 2023, in the above-captioned matter is DISMISSED WITH PREJUDICE to refile. A Hearing in this matter was scheduled for April 6, 2023, at 9:30 a.m. Despite receiving the January 18, 2023, Scheduling Order and multiple calls from the undersigned Hearing Officer, no representative for Appellant timely appeared at the Hearing. A representative for the Allegheny County Health Department (“ACHD”) and its witnesses were present at the scheduled date and time. Therefore, we dismiss this matter pursuant to ACHD Article XI § 1105(C)(8).

Additionally, parties were ordered to discuss ACHD’s Motion to Dismiss filed on March 24, 2023, at the start of the Hearing. This Tribunal finds that Appellant failed to present an actual case or controversy in their Notice of Appeal and is not entitled to the requested relief as a matter of law. We therefore grant ACHD’s Motion to Dismiss for the reasons stated therein pursuant to ACHD Article XI § 1108.1.

Appellant has 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/   
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John J. McGowan, Esquire  
Hearing Officer  
Allegheny County Health Department