



Notice of Appeal



This form is used to file an appeal of an order, notice, decision, determination, or ruling by the Allegheny County Health Department. Please complete this form (use additional pages as necessary). If more than one person or entity is filing this appeal, please attach a separate form for each additional appellant. **A copy of the order, notice, decision, determination, or ruling must be attached to the Notice of Appeal.**

Name McKeesport Housing Authority

Mailing Address 2901 Brownlee Avenue

City McKeesport State PA Zip 15132 Email _____

Phone 412-673-6942 Fax (optional) _____

If you are represented by an attorney, please provide contact information for your attorney:

Name Joanne L. Parise, Esquire

Mailing Address 3907 Old William Penn Highway, Suite 304

City Murrysville State PA Zip 15668 Email jparise@cbattorneys.com

Phone (724) 733-8832 Fax (optional) (724) 733-8834

Describe your objections to the Department's actions and a statement describing the relief you want the Hearing Officer to grant. *(The objections may be factual or legal and must be specific. If you fail to state an objection here, you may be barred from raising it later in your appeal. Use additional pages if necessary.)*

Please see the attached Objections to Department's Actions and Statement Describing Requested Relief.

By filing this Notice of Appeal with the Allegheny County Health Department, I hereby certify that the information submitted is true and correct to the best of my information and belief.

Signature Joanne L. Parise Date 2/3/23

Appeals should be submitted in person or by mail to:
**Allegheny County Health Department
Attention: Hearing Officer
542 4th Avenue
Pittsburgh, PA 15219**

Allegheny County Health Dept. v. McKeesport Housing Authority
SR#: HCE-20221122-5389
Property Address: 57-F Crawford Village, McKeesport, PA 15132
Inspection Date: 12/15/2022
Inspector: Elliot Schlaich

**OBJECTIONS TO DEPARTMENT'S ACTIONS AND STATEMENT DESCRIBING
REQUESTED RELIEF**

The McKeesport Housing Authority (“MHA”) hereby states the following objections to the attached notice issued by the Allegheny County Health Department (“ACHD”) on January 5, 2023, pertaining to Service Request No. HCE-20221122-5389 (“Notice”).

1. MHA objects to the Notice because the inspection purportedly giving rise to the alleged violations in the Notice did not comport with the requirements of due process. Specifically, ACHD did not provide MHA with notice of the inspection and, therefore, deprived MHA of the right to be present for and observe the inspection.

2. MHA objects to the Notice because Section 652 is impermissibly vague in violation of due process, as it is impossible to distinguish on the face of the Ordinance what constitutes an “infestation” of insects. Further, Section 604 of Article VI which purports to define the term “infestation” is impermissibly vague in violation of due process.

3. MHA objects to the Notice because Section 652 is impermissibly vague in violation of due process, as it is impossible to distinguish on the face of the Ordinance what constitutes a “Class 2 Violation” and “Class 3 Violation”. Further, Section 615 of Article VI which purports to define the terms “Class 2 Violation”, “Class 3 Violation”, “Massive Pest Vector Infestation”, and “Major Pest Vector Problem” is vague and ambiguous, and thus does not adequately apprise MHA of the nature of the offense.

- c. ACHD provide reasonable notice of any and all future inspections to MHA so that MHA and its counsel have the opportunity to be present for such inspections.

COUNTY OF



ALLEGHENY

RICH FITZGERALD
COUNTY EXECUTIVE

Housing Authority Of City Of McKeesport
2901 Brownlee Avenue
Mc Keesport PA 15132

January 5, 2023

RE : SR# HCE-20221122-5389

Property 57 CRAWFORD VILLAGE APT F
Address : McKeesport, PA 15132
Census Tract : 55512

Dear Sir/Madam:

An inspection of the property listed above was conducted on 12/15/2022 by Elliot Schlaich. The following violations of Article VI, "Housing and Community Environment," were verified at that time. Attached is an inspection report listing these violations.

1 Class 2 violation(s) exist(s). A Class 2 violation is defined as a major health hazard. These violations are to be corrected by 02/09/2023 .

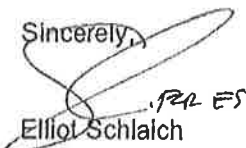
1 Class 3 violation(s) exist(s). A Class 3 violation is defined as a condition which represents an actual or potential health hazard or nuisance. These violations are to be corrected by 02/09/2023 .

Failure to comply will result in a complaint filed before the Magistrate and/or civil penalties. Under Section 660, should the dwelling become vacant prior to correction of these violations, the dwelling must be inspected and corrections verified by this Department prior to reoccupancy.

Pursuant to Article XI entitled "Hearings and Appeals," you are hereby notified that you have thirty (30) days after issuance of this written notice to file an appeal. The appeal shall be made in writing and must set forth with particularity all issues to be raised. The notice of appeal shall be submitted to the Allegheny County Health Department, Office of the Director, 542 4th Ave, Pittsburgh, Pennsylvania 15219. In the event that an appeal is not filed within thirty (30) days after issuance of this written notice, the within action shall become final.

If you have any questions, you may contact this office at (412)350-4046.

Sincerely,


Elliot Schlaich
Environmental Health Specialist

ES:Sb
Attachment
cc: Occupants



DEBRA BOGEN, MD, FAAP, FABM, DIRECTOR
ALLEGHENY COUNTY HEALTH DEPARTMENT
HOUSING & COMMUNITY ENVIRONMENT PROGRAM
3190 SASSAFRAS WAY (NEAR 32ND ST. AT LIBERTY AVE.)
PITTSBURGH, PA 15201-1443
PHONE: 412.350.4046 • FAX: 412.350.2792
WWW.ALLEGHENYCOUNTY.US/HEALTHDEPARTMENT



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Allegheny County Health Department

Inspection Report - Complaint Housing

SR#: HCE-20221122-5389

Owner Violations

Property Address : **57 Crawford Village Apt F, Mckeesport 15132**

Inspection # 1 Census Tract : 55512 Property Type : (Multi-Family 0 Units)

Inspector : Elliot Schlaich Inspection Date : December 15, 2022 Time : 10:50

Contacts:

Mr. JERAMYIA CROMERDIE	Occupant	HOUSING AUTHORITY OF CITY OF MCKEESPORT
57 Crawford Village Apt F		Owner
Mc Keesport , PA 15132		2901 Brownlee Avenue
		Mc Keesport , PA 15132
(412) 447-5401		(412) 673-6942

Ms DESIREE SIMMONS Occupant
57 Crawford Village Apt F
Mc Keesport , PA 15132
(412) 636-3426

Listed below are the Article 6 violations that require corrective action :

Not Applicable **Apartment**
Section 652 004 (O)(S) Class 2
Location : None Violation Status : **First**
Violation : Severe cockroach infestation, cockroaches underfoot.
Remedy : Exterminate entire dwelling using licensed pesticide treatment company.
Comments : Multiple roaches observed in apartment on floors and walls on multiple levels of the apartment.

Not Applicable **Apartment**
Section 652 010 (O)(S) Class 3
Location : None Violation Status : **First**
Violation : Stinging or biting insect infestation.
Remedy : Exterminate using licensed pesticide treatment person/company.
Comments : Bed bugs infestation observed in unit 57F on all levels (living rooms furniture, bedroom furniture)

Bedbugs also observed in unit 57G on living room furniture.

Comments: Inspector gained access to neighboring apartments (57G and 57H) where roaches were also observed in the living rooms.