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October 2, 2018

Max Slater, Esquire  
Administrative Hearing Officer  
Allegheny Co. health Dept  
542 Fourth Floor  
Pittsburgh, PA 15219

RE: 2650 S 18<sup>th</sup> Street Appeal (SR# HEC-20170711-3642)

Dear Hearing Officer Slater:

This is my response to Ms Vijyalakshmi Patel, ACHD Assistant Solicitor's motion to dismiss the November 6<sup>th</sup> appeal. As I will establish, Diane Wheeler, the contracted property manager, of Three Rivers Property Management LLC, had filed the above mentioned appeal under my direction, fully within her authority, and with the intimate knowledge of the full development of the events. During the whole process she had been in close communication with ACHD in the capacity of my representative.

According to Ms Patel, the management company was not aggravated by the action of the department and thus has no grounds for appeal. I don't think this make sense at all for the following reasons.

- (1) Three Rivers Property Management LLC had been my selected property manager for 2650 S 18<sup>th</sup> since I purchased the property in 2010, and I hereby explicitly state and reaffirm that they had and still have full authority to represent, deal and compromise all matters related to 2650 S 18<sup>th</sup> st that occurred during the period when the property was under their management. Their authority was established and documented in our management agreement attached in Exhibit 1. Please treat this as a written authorization for their full representation of me, past and present, on all matters related.
- (2) Ms. Diane Wheeler appealed the department's decision under my explicit direction on November 4<sup>th</sup>, 2017, as documented in Exhibit 2, the text messages.
- (3) On November 6<sup>th</sup>, 2017, Ms. Diane Wheeler filed the appeal, she also called Lawrence Robinson, the Inspector to discuss the appeal and the lead abatement project. Mr. Robinson stated that the only left items were some cleaning and touch up to window sills. He further agreed that we would have more time to handle this, given the tenants were moving out, and things would be much easier to handle after the tenant vacated the house. The conversation was also documented in Exhibit 2, the text exchanges.
- (4) The management company had been receiving a management fee, which is directly related to the performance of the rental property, and thus they do have a direct interest in this matter.

According to Ms. Patel, the management company, as my representative in this matter, has not provided written verification of personal knowledge of the subject matter of the litigation, or written authorization from the aggravated individual to appear as the individual's representative. I don't think this make sense for the following reasons:

(1) Even if we make the unreasonable assumption that the management company does not have a direct interest in this matter, they do have the management agreement, and my explicit direction appeal this matter as documented in Exhibit 1 and Exhibit 2. They have been my representation in the eviction case, and their representation as my agent is well established in legal matters, in reality, and in practice.

(2) All the letters from ACHD had consistently been mailed to Three Rivers Property Management as well, and thus the legal representation has already been established. A direct dialogue had been established between ACHD inspector and the property manager.

(3) Ms. Diane Wheeler from Three Rivers Management had been discussing all these matters and closely worked with Inspector Lawrence Robinson and explicitly explained our appeal and request for an extension to finish the remaining work. In her appeal, the personal knowledge of the subject matter was irrefutable, and the letter from ACHD dated October 30, 2017 was also attached. There was no ambiguity on what she was appealing and that she had personal knowledge and legal representation on this matter. That conversation was also documented in Exhibit 2. Some other conversation between my representative, Ms. Wheeler, and the ACHD inspector, were also documented in Exhibit 3a and Exhibit 3b.

Ms. Patel also mentioned the fact that Three Rivers Management Company is no longer managing the aforementioned property as a reason to dismiss the appeal. Given that we are discussing the validity of the appeal filed 11 months ago, I do not see the relevance of that fact. A person died 70 years later doesn't render his birth certificate invalid.

Overall I found the whole process very distressing and distasteful. Eleven months after the appeal, and nine months after the LBP case was resolved and closed, as documented in Exhibit 4, the motion to dismiss the appeal so a civil penalty could be levied on me is quite, for lack of a better word, frivolous and mercenary.

I was notified of the LBP situation in the end of July and signed off the project for Lead abatement on August 23rd, the day we got the project proposal. Please see email approval in Exhibit 5, and the proposal in Exhibit 6. During the process I have worked closely with the property manager Diane Wheeler, and she in turn with the contractor and the ACHD inspector Lawrence Robinson, to make sure that the work were done expeditiously and professionally, and satisfying the department's requirements. This is documented in the text exchange in Exhibit 2 and the email chain in Exhibit 7a, 7b, and 7c. In particular in 7c, I have been asking for updates whenever I can, nervously, for three months, paying all the bills to the degree of financial distress, trying to resolve the issue as soon as possible.

As also documented in the general ledger of 2650 S 18<sup>th</sup> St, Exhibit 8, the saga really started in June.  
6/15/2017 Sewer Line repairs \$4,850

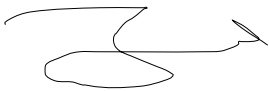
6/22/2017 Shower Repairs, Plumbing and Floors, bathrooms, \$2,750  
8/24/2017 Lead Abatement, \$5,000  
10/27/2017, 11/16/2017, 12/16/2017 Lead Abatement, \$1000 x 3  
12/21/2017 Lead Abatement, \$225  
1/2/2017 Lead Abatement \$1,200  
1/8/2018 New bathtub and plumbing for leak to basement \$1,395  
2/5/2018 Replace window \$150  
2/5/2018 Replace broken window sill/trim/paint \$225  
2/5/2018 Clean all sills and baseboards \$120  
2/7/2018 Electrical work \$537.5  
2/16/2018 new hot water tank, plumbing, multiple wall and repairs, new bathroom vanity, etc \$3,200  
6/18/2018 Legal fee \$750, in addition to the legal fee of ~\$1500 I paid separately.

During this period, the expenses for all repairs ran into \$24,102.49.

On the tenant's front, she informed us her intent to vacate in November 2017, when she paid her last rent of \$144, and only vacated the property in June 2018, 7 months later. She left the unit in total despair and disrepair, with junk filling the house, front yard and back yard. There were broken windows, broken dry walls, which had been repaired just months ago. The new management company is still working on making the unit rent ready again today, 4 months after she left. Even in 2017, we had to repair things that she purposely broke, including windows, doors, drywalls, electrical outlets, which created a lot of issues for even getting the lead abatement done. Many a time, I was informed, once we cleaned the window sills and trims, someone would purposely sabotage the work and either damage the sills or trims, or just put dust on it.

With that background, and with upmost indignation, I would ask Your Honor to deny the motion to dismiss the appeal. This motion is unfair, unjust, and baseless, as I have argued above, and provided ample evidence against. Furthermore, it is beyond basic human decency and reason. My nightmare experience with Section 8, hopefully, would end here, and never be repeated, even upon my worst enemy.

Most Sincerely Yours,

A handwritten signature in black ink, appearing to be 'Zhitong Zhang', with a long horizontal stroke extending to the right.

Zhitong Zhang