

ALLEGHENY COUNTY HEALTH DEPARTMENT
ADMINISTRATIVE DECISION

CHURCHILL COMMUNITY DEVELOPMENT, LP; RAMESH JAIN; VIKAS JAIN; PARADIGM CONSULTANTS, LLC,	:	In Re: 1310 Beulah Road Buildings #401 and 501 Churchill, PA 15235
Appellants,	:	<u>Copies Sent To:</u>
v.	:	<i>Counsel for Appellants:</i>
ALLEGHENY COUNTY HEALTH DEPARTMENT,	:	Maurice A. Nernberg, Esq.
Appellee.	:	MAURICE A. NERNBERG & ASSOCIATES
	:	301 Smithfield Street
	:	Pittsburgh, PA 15222
	:	<i>Counsel for ACHD:</i>
	:	Jason K. Willis, Esq.
	:	301 39 th Street, Building 7
	:	Pittsburgh, PA 15201

DECISION AND ORDER OF THE ALLEGHENY COUNTY HEALTH DEPARTMENT HEARING OFFICER

AND NOW, this 13th day of February, 2018, it is hereby ORDERED that the Allegheny County Health Department's ("ACHD") Motion to Dismiss is **GRANTED**, and Appellants Churchill Community Development, LP, Ramesh Jain, Vikas Jain, and Paradigm Consultants, LLC's (collectively "Appellants") appeal is hereby **DISMISSED** with prejudice, for the following reasons:

1. This tribunal, following a two-part hearing on the matter, determined that Appellants had the ability to pay the civil penalty as imposed, and therefore ordered Appellants to pay the \$1,471,675 civil penalty within thirty days of the December 20, 2017 Order;
2. Pursuant to Article XXI, § 2109.06 of the Allegheny County Health Department's Rules and Regulations, Appellants were afforded thirty days to proffer the civil penalty as a bond or cash;
3. More than thirty days have elapsed since the imposition of the December 20, 2017 Order;

4. By operation of Article XXI, § 2109.06(a)(3) of the Allegheny County Health Department's Rules and Regulations, coupled with this tribunal's December 20, 2017 Order, Appellants have waived all issues raised on appeal; AND
5. Absent any cognizable issues on appeal, this tribunal is constrained to **GRANT** the ACHD's Motion to Dismiss Appellants' appeal with prejudice. Additionally, Appellants' Petition for Supersedeas/Stay is **DENIED**.

/s/ _____
Max Slater
Administrative Hearing Officer
Allegheny County Health Department

February 13, 2018
Dated: