

ALLEGHENY COUNTY HEALTH DEPARTMENT
ADMINISTRATIVE DECISION

In Re: 2650 S. 18th Street, Pittsburgh, PA 15210, Docket No. ACHD-17-032

AND NOW, this 4th day of October, 2018, it is hereby ORDERED that the Allegheny County Health Department's ("ACHD") Motion to Dismiss is **DENIED**.

The ACHD contends that Three Rivers Property Management, LLC ("Three Rivers") lacked grounds to file an appeal in this matter because it "did not explicitly state that it has personal knowledge of the events in this matter and importantly, failed to provide written authorization from [Appellant Zhitong Zhang] stating that it may represent his interests in this matter." (ACHD Motion to Dismiss (citing Article XI § 1104.G)).

However, the evidence presented by Zhitong Zhang ("Mr. Zhang") establishes that Three Rivers was acting as with the full written authority to represent Mr. Zhang in this matter. The Property Management Agreement that Mr. Zhang signed with Three Rivers indicates that Three Rivers was Mr. Zhang's "exclusive agent for the rental and management of the Property." (Ex. 1). The text messages and email exchanges that Mr. Zhang attached show that Mr. Zhang authorized Three Rivers to perform substantial work on the property, and to file an appeal on his behalf with the ACHD. (Exs. 2, 3a, 3b, 7a-c). And the evidence demonstrates that Three Rivers communicated extensively with the ACHD, at Mr. Zhang's direction, in this matter. (Exs. 3a, 3b, 7b). For these reasons, the ACHD's Motion to Dismiss is **DENIED**.



Max Slater
Administrative Hearing Officer
Allegheny County Health Department

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