

**BEFORE THE ALLEGHENY COUNTY HEALTH DEPARTMENT  
3333 FORBES AVENUE  
PITTSBURGH, PENNSYLVANIA 15213**

<b>CHURCHILL COMMUNITY DEVELOPMENT, LP and PARADIGM CONSULTANTS, LLC, its general partner 1013 Beulah Road Pittsburgh, PA 15235</b>	)	<b>In re: 1310 Beulah Road, Building #401 Churchill, PA 15235</b>
	)	
<b>RAMESH JAIN and VIKAS JAIN 311 Jefferson Street Pittsburgh, PA 15228</b>	)	
	)	

**NOTICE OF APPEAL**

Appellants, Churchill Community Development, LP (“Churchill”), Paradigm Consultants, LLC (“Paradigm”), Ramesh Jain and Vikas “VJ” Jain (the “Jains”), pursuant to Allegheny County Health Department (“ACHD”) Article XI, appeal the Enforcement Order, dated March 7, 2017 (“Order”), with respect to the property located at 1310 Beulah Road, Building #401, Churchill, PA 15235 (the “Property”). Appellants file this Notice of Appeal from the Order in accordance with ACHD Rule 1104. In accordance with ACHD Rule 1104.B, this Notice of Appeal sets forth the manner in which the Appellants are aggrieved by the Order, the extent to which Appellants have a direct interest in the action, and the grounds for this appeal:

1. Churchill is a limited partnership organized under the laws of the Commonwealth of Pennsylvania. Paradigm is a limited liability company organized under the laws of the Commonwealth of Pennsylvania and Paradigm is the general partner of Churchill. The Jains are principals of Paradigm.

**Manner in Which Aggrieved / Appellant’s Direct Interest**

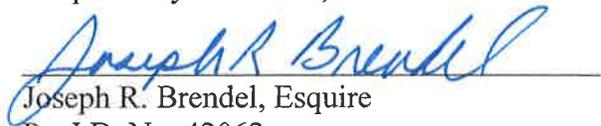
2. Churchill is the owner of the Property. The Order directs each of Churchill, Paradigm and the Jains to take certain actions and forbids each of them from taking certain actions with respect to the Property. The Order alleges that each of the Appellants has failed to adhere to, and is therefore in violation of, Article XXI of the Allegheny County Rules and Regulations.

Grounds for Appeal

3. The allegations in the Order are factually and legally incorrect.
4. Paragraph 48 of the Order requires the Appellants to ensure the submission of a full and complete application for an asbestos abatement permit within ten (10) days of receipt of the Order. Appellants are in the process of retaining a licensed abatement contractor, but compliance with Paragraph 48 of the Order is impracticable, if not impossible, because (1) access to the Property is controlled by the Department, and (2) the Department is requiring indoor air sampling prior to allowing full access to the Property. Until the Appellants' abatement contractor has full access to the Property, the contractor will not be able to measure the amount of asbestos-containing material for purposes of completing the permit application.
5. The Order is otherwise arbitrary, unreasonable, an abuse of discretion, and contrary to law.
6. Appellants reserve the right to amend the factual and legal contentions contained herein as authorized by ACHD Rules and Regulations.

Dated: March 13, 2017

Respectfully submitted,



Joseph R. Brendel, Esquire

Pa. I.D. No. 42062

David G. Ries, Esquire

Pa. I.D. No. 19918

Clark Hill PLC  
One Oxford Centre  
301 Grant Street, 14<sup>th</sup> Floor  
Pittsburgh, Pennsylvania 15219-1425  
(412) 394-7711

*Attorneys for Churchill Community  
Development, LP; Paradigm Consultants,  
LLC; Ramesh Jain and Vikas Jain*