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LICKING CO. OHIO

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GARY R. WALTERS
CLERK

IN THE COURT OF COMMON PLEAS
LICKING COUNTY, OHIO

CITY OF NEWARK
40 W. Main St.
Newark, OH 43055,

Plaintiff,

v.

RONALD A. WATSON
9190 Stewart Rd. NE
Newark, OH 43055,

Defendant.

:

:

:

:

:

:

:

CASE NO. _____

JUDGE _____

12 CV 1528

COMPLAINT

COUNT ONE

1. Plaintiff, City of Newark (hereinafter "Plaintiff"), is a municipal corporation organized and operating pursuant to Article XVIII, Section 3, of the Constitution of the State of Ohio and to a Charter duly adopted by its citizens. Plaintiff has duly authorized the Ohio Attorney General's Office to act as its agent in this matter.
2. Defendant, Ronald A. Watson (hereinafter "Defendant"), is resident of Licking County, Ohio.
3. At all times relevant to this Complaint, Defendant was the title owner of record of the real property located at 282-284 Elmwood Avenue, Newark, Ohio 43055 (Parcel No. 54-278178-00.000), together with all improvements situated thereon (hereinafter referred to as "282-284 Elmwood").
4. Plaintiff issued an Administrative Warning/Notice of Violation to Defendant on December 10, 2009, for a violation of the Newark Property Maintenance Code, ordering Defendant to bring 282-284 Elmwood into compliance. See Exhibit A.
5. Defendant failed to comply with the order of December 10, 2009.
6. Plaintiff issued a Notice of Violation to Defendant on January 19, 2011, for violations of the Newark Property Maintenance Code, ordering Defendant to bring 282-284 Elmwood into compliance. See Exhibit B.

7. Defendant failed to comply with the order of January 19, 2011.
8. Plaintiff issued a Notice of Violation/Notice of Demolition to Defendant on April 6, 2011, ordering Defendant to either bring 282-284 Elmwood into compliance or to demolish said property. See Exhibit C.
9. Defendant failed to comply with the order of April 6, 2011, and Plaintiff issued a Notice of Non-Compliance to Defendant on June 15, 2011. See Exhibit D.
10. Plaintiff issued a second Notice of Non-Compliance to Defendant on June 27, 2011. See Exhibit E.
11. Plaintiff issued an Official Notice of Demolition to Defendant on August 3, 2011, notifying Defendant that Plaintiff would contract for the demolition of 282-284 Elmwood. See Exhibit F.
12. Commencing on or about September 17, 2012, Plaintiff through its private, independent demolition contractor demolished the structure located at 282-284 Elmwood.
13. Plaintiff paid its independent contractors *Twenty Seven Thousand Three Hundred Dollars and 00 Cents (\$27,300.00)* for the aforesaid demolition work performed at 282-284 Elmwood.
14. On November 6, 2012, Plaintiff issued an Invoice to Defendant for the costs associated with demolition. See Exhibit G.
15. Pursuant to Ohio Revised Code Section 715.261, Defendant owes to Plaintiff the amount of *Twenty Seven Thousand Three Hundred Dollars and 00 Cents (\$27,300.00)*, together with interest from September 17, 2012, and Defendant has failed or refused to pay said amount.

COUNT TWO

16. Plaintiff incorporates herein, by reference, each and every allegation contained in Paragraphs 1-15.
17. At all times relevant to this Complaint, Defendant was the title owner of record of the real property located at 308-310 Elmwood Avenue, Newark, Ohio 43055 (Parcel No. 54-281550-00.000), together with all improvements situated thereon (hereinafter referred to as "308-310 Elmwood").
18. Plaintiff issued a Notice of Violation to Defendant on September 15, 2011, for violations of the Newark Property Maintenance Code, ordering Defendant to bring 308-310 Elmwood into compliance. See Exhibit H.

19. Defendant failed to comply with the order of September 15, 2011, and Plaintiff issued a Notice of Non-Compliance to Defendant on September 23, 2011. See Exhibit I.
20. Plaintiff issued a second Notice of Non-Compliance to Defendant on October 28, 2011. See Exhibit J.
21. On October 28, 2011, 308-310 Elmwood was condemned, the structure thereon was deemed unfit for human occupancy. See Exhibit K.
22. Plaintiff issued a third Notice of Non-Compliance to Defendant on December 6, 2011. See Exhibit L.
23. Plaintiff issued a fourth Notice of Non-Compliance to Defendant on December 14, 2011. See Exhibit M.
24. Plaintiff issued an Official Notice of Demolition/Notice of Non-Compliance to Defendant on December 30, 2011, notifying Defendant that Plaintiff would contract for the demolition of 308-310 Elmwood. See Exhibit N.
25. Commencing on or about August 21, 2012, Plaintiff through its private, independent demolition contractor demolished the structure located at 308-310 Elmwood.
26. Plaintiff paid its independent contractors *Seven Thousand One Hundred Dollars and 00 Cents (\$7,100.00)* for the aforesaid demolition work performed at 308-310 Elmwood.
27. On November 6, 2012, Plaintiff issued an Invoice to Defendant for the costs associated with demolition. See Exhibit O.
28. Pursuant to Ohio Revised Code Section 715.261, Defendant owes to Plaintiff the amount of *Seven Thousand One Hundred Dollars and 00 Cents (\$7,100.00)*, together with interest from August 21, 2012, and Defendant has failed or refused to pay said amount.

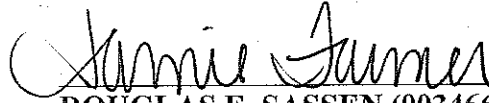
COUNT THREE

29. Plaintiff incorporates herein, by reference, each and every allegation contained in Paragraphs 1-28.
30. As a direct result of Plaintiff's expenditure of funds for the total cost of demolition at 282-284 Elmwood and 308-310 Elmwood, Defendant has been unjustly enriched at the expense of Plaintiff, the City of Newark, in the amounts listed in Counts I and II.
31. **This lawsuit is an attempt to collect a debt. Any and all information obtained will be used for that purpose.**

WHEREFORE, Plaintiff demands judgment against Defendant, Robert A. Watson, for the total amount of *Thirty Four Thousand Four Hundred Dollars and 00 Cents (\$34,400.00)*,

together with interest, and the costs of this action, and such other relief as this Court may deem appropriate.

Respectfully submitted,



DOUGLAS E. SASSEN (0034662)

JAMIE A. FARMER (0080160)

Newark Law Director

40 W. Main Street

Newark, OH 43055

Phone: 740.670.7880

Attorneys for Plaintiff

MICHAEL DEWINE

OHIO ATTORNEY GENERAL



AMBER WOOTTON HERTLEIN (0083858)

WALTER J. McNAMARA (0074570)

Assistant Attorneys General

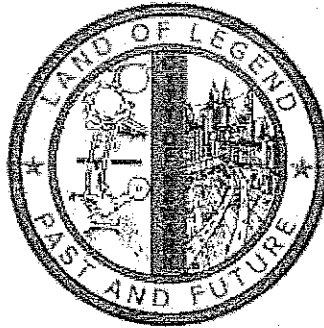
30 E. Broad Street, 17th Floor

Columbus, OH 43215

Phone: 614.752.6733

Attorneys for Plaintiff

BOB DEHOLD
Mayor
TELEPHONE: (740) 670-7513



ROGER STOLLARD
Safety Director
TELEPHONE: (740) 670-7713

DEPARTMENT OF PROPERTY MAINTENANCE
SERVICE TO THE PEOPLE

TELEPHONE: (740) 670-7555

Ronald Watson
9190 Stewart Rd NE
Newark, OH 43055
Regarding property located at: 282 Elmwood, Newark, OH 43055
Case Number: CE09-647

December 10, 2009

ADMINISTRATIVE WARNING/NOTICE OF VIOLATION

Dear Mr. Watson:

Please be advised that pursuant to the authority granted to the Property Maintenance Division administered by the Newark City Public Safety Department, you are hereby given Administrative Warning per Property Maintenance Code 07-03 Section 106.3a adopted 1/16/07.

The following violations are found to exist:

506.2 Sewage system maintenance

Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.

Correction Plan:

506.2 Plumbing installation, replacement or repairs to meet Plumbing Code specifications are required. There is approximately 5" of sewer water in the basement of this house. If the sewer water continues to accumulate it will create electrical hazards. Occupant was advised to vacate due to safety/health hazards.

A written request for appeals by the Property Maintenance Review Committee must be received within 20 days from the date of this notice. Failure to follow this procedure is a waiver of your right to administrative appeal. The Appeals Fee Schedule is outlined in Ord 103.5. **Deadline for bringing said dwelling and premises into compliance with the provisions of this code as determined by the Safety Director is 7 days.** A follow-up compliance inspection will be conducted after deadline expiration. Non-compliance will also result in a Violation Citation and fee assessment. Non-compliant persons and properties will be considered as non-compliant for 7 years Ord 306.3 b. Failure to comply with this violation may result in civil or criminal litigation.

Prior to the sale, transfer, mortgage, lease or other disposal of said property, you are required to submit a notarized statement from the grantee, transferee or lessee acknowledging receipt of this Administrative Warning. The statement must state full acceptance of responsibility without condition for making the corrections or repairs as required in Ord



107.5. This Administrative Warning is issued because the aforementioned violations have been found to exist. A copy of the Newark City Property Maintenance Code 07-03 may be obtained at www.newarkohio.net. If you have questions, please contact our office Monday through Friday 8:00am – 4:30pm by calling (740)670-7585.

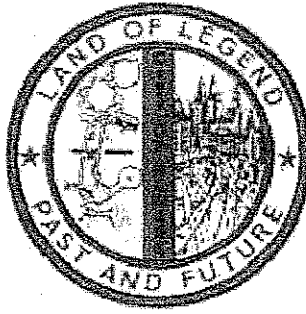
Regards,



Roger Stollard
Safety Director

Cc: Bank of New York Mellon Trust
C/o Thomas Novak of Likens & Blomquist

Bob Diebold
Mayor
Telephone: (740) 670-7512



Roger Stollard
Safety Director
Telephone: (740) 670-7713

DEPARTMENT OF PROPERTY MAINTENANCE

Service To The People

Telephone: (740) 670-7585

Notice of Violation

January 19, 2011

Ronald Watson
9190 Stewart Rd
Newark, OH 43055

Re: 282/284 Elmwood Ave

Dear Mr. Watson:

The Division of Property Maintenance received a complaint regarding the structure you own at 282 & 284 Elmwood Ave. An inspection was performed on 1/6/11. The Property Maintenance Code violations that exist are as follows:

Section 304.2 All exterior surfaces shall be maintained in good condition. The entire structure has peeling and flaking paint. All peeling and flaking paint must be removed and the entire structure must have a new layer of protective treatment applied within 120 days of the date of this.

PMC 304.13 Every window shall be kept in good repair. The attic windows on the north and south side are missing. Window repair or replacement is required within 120 days of the date of this notice.


PMC 304.7 Roof gutters and downspouts must be maintained and in good repair. The second floor gutter on the front of the structure is missing. Replacement of the missing gutter is required within 120 days of the date of this notice.

PMC 302.4 All premises and property shall be maintained free from weeds or plant growth in excess of (10) inches. The south side of the property is overgrown. Due to current weather conditions a deadline of 60 days of the date of this notice is being given to take corrective action to eliminate are overgrowth on the property, specifically on the south side.

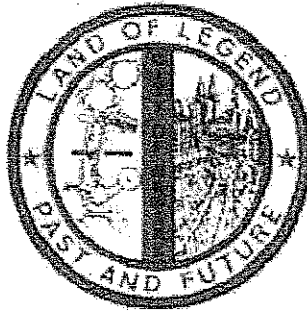


A compliance inspection will be performed following the deadline. Failure to comply with both or either deadline will result in a citation and penalty according to the offense. If you have any questions please contact Property Maintenance at 740.670.7585.

Regards,


Roger Stollard
Director of Public Safety
City of Newark

Bob Diebold
Mayor
Telephone: (740) 670-7512



Roger Stollard
Safety Director
Telephone: (740) 670-7713

DEPARTMENT OF PROPERTY MAINTENANCE

Service To The People

Telephone: (740) 670-7585

Notice of Non-Compliance

Notice of Demolition

April 6, 2011

Ronald Watson
9190 Stewart Rd NE
Newark, OH 43055

Re: 282 & 284 Elmwood Ave

Dear Mr. Watson:

The Division of Property Maintenance performed a compliance inspection for the property that you own at 282 & 284 Elmwood Ave. The existing Property Maintenance Code violations of which you were previously notified on 1/19/11 still exist. Failure to comply has resulted in the issuance of a citation and penalty of \$150. Please see enclosed invoice.

According to our records on 12/9/2009 an inspection was conducted on behalf of the Division of Property Maintenance in response to a complaint received regarding raw sewage in the basement of 282 Elmwood Ave. It was confirmed on 12/9/2009 that at least 5" of sewer water accumulated on the basement floor. Occupants were advised of the potential electrical hazards. To date no evidence has been submitted to our office which provides that this Property Maintenance Code violation has been remedied.

Please be advised that pursuant the authority granted to the City of Newark, Department of Safety, Division of Property Maintenance, you are hereby provided a notice of demolition pursuant to property Maintenance Code Section 110. This structure poses a potential health and safety hazard to the public and has been determined to be an unsafe structure. It is not fit for human occupancy. Per our inspection on 3.31.11 the structure was vacant, and unsecured. The front door was open and trash was scattered throughout the front portion of the structure.

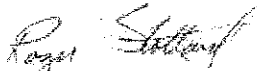
Corrective action must be taken immediately to secure the property and remove and dispose of all trash along side of the property. Complete rehabilitation or demolition must occur by May 9, 2011. If you cannot complete demolition or rehabilitation of the structure by that date, the City will facilitate the



demolition. If you will consent to the said demolition please contact Property Maintenance at 740.670.7585 to execute a waiver. All costs incurred by the City of Newark to demolish the structure located 282 & 284 Elmwood Ave will be assessed to the real estate property tax with the Licking County Auditor's office. To avoid demolition and tax lien assessment, please contact the Division of Property Maintenance to establish a compliance deadline to which you will adhere.

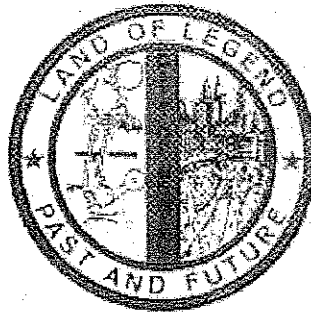
If you have any questions please contact Property Maintenance at 740.670.7585.

Regards,



Roger Stollard
Director of Public Safety
City of Newark

Bob Diebold
Mayor
Telephone: (740) 670-7513



Roger Stollard
Safety Director
Telephone: (740) 670-7713

DEPARTMENT OF PROPERTY MAINTENANCE

Service To The People

Telephone: (740) 670-7585

Notice of Non Compliance

June 15, 2011

Ronald Watson
9190 Stewart Rd NE
Newark, OH 43055

Re: 282 & 284 Elmwood Ave

Dear Mr. Watson:

The Division of Property Maintenance performed a compliance inspection on 5/9/11 and again on 6/13/11 for your property at 282/284 Elmwood Ave. There is overgrowth on the property per the inspection on 6/13/11 and no apparent attempt to rehabilitate or demolish this structure has been taken. Failure to comply with the previous notice of violation dated 4/6/11 has result in a second citation and penalty of \$250.00. Please see enclosed invoice.

To date, per our inspection on 5/9/11 and 6/13/11 the structure located at 282/284 Elmwood Avenue remains to be structurally unsafe and a safety hazard to the public. Deterioration of the structure continues to progress.

Pursuant Section 110.4, Failure to Comply, of the Property Maintenance Code, if an owner fails to comply with a demolition order within a time prescribed, the Safety Director or his designee, shall cause the structure to be demolished and removed, either through an available agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

This is an official notice of demolition. The City may contract for the demolition of this structure if you cannot complete demolition by July 18, 2011. If you are willing to consent to the said demolition please contact Property Maintenance at 740.670.7585 to execute a waiver. All costs incurred by the City of Newark to demolish the structure located at 282/284 Elmwood Ave will still be assessed to the real estate property tax with the Licking County Auditor's office.




An inspection will follow the July 18, 2011 deadline to determine compliance with the complete rehabilitation or demolition order.

Corrective action must be taken to eliminate all overgrowth on the property by June 23, 2011. Failure to remedy the Property Maintenance Code violation, Section 302.4 Weeds/Grass may result in the City of Newark to contract for the elimination of all overgrowth and assess costs incurred to you.

Failure to comply with this notice of violation will result in subsequent citations and penalties applicable to the offense. If you have any questions please contact Property Maintenance at 740.670.7585.

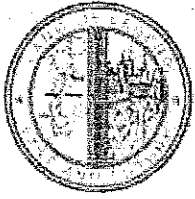
Regards,



Will Hansen, Inspector

Code Enforcement Deputy Code Administrator

City of Newark



NEWARK CITY PROPERTY MAINTENANCE
 40 W MAIN STREET, SUITE 411
 NEWARK, OH 43055

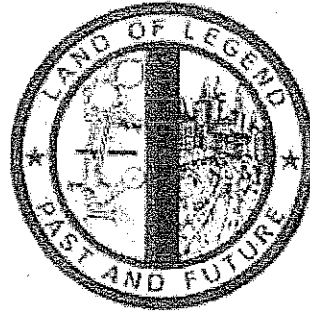
Ronald Watson
 9190 Stewart Rd NE
 Newark, OH 43055

For Office Use Only	
Date Rec'd	Initials
Payment with form \$	
Money order or Cashier Check Only	

Invoice #	Invoice Date	Due Date
954	6/15/2011	7/15/2011

Description	Rate	Amount
Citation Fee	250.00	250.00
Postage Reimbursement	6.03	6.03
<i>282 / 284 Elmwood Ave.</i>		Total Due
		\$256.03

Bob Diebold
Mayor
Telephone: (740) 670-7512



Roger Stollard
Safety Director
Telephone: (740) 670-7713

DEPARTMENT OF PROPERTY MAINTENANCE

Service To The People

Telephone: (740) 670-7585

Notice of Non Compliance

June 27, 2011

Ronald Watson
9190 Stewart Rd NE
Newark, OH 43055

Re: 282/284 Elmwood Ave

Dear Mr. Watson:

A compliance inspection was performed at 282/284 Elmwood Ave on 6/24/11. The Property Maintenance Code violation 302.4 Grass/Weeds continues to exist. A previous notice of violation dated 6/15/11 was issued. Failure to comply has resulted in the issuance of this non compliance citation and penalty of \$500.00. Please see enclosed invoice.

Please be advised at this time the City of Newark will contract for the elimination of the weeds and high grass at this property and assess the costs incurred to you. An invoice for services rendered to correct the Property Maintenance Code violation, 302.4 will follow. If you have any questions please contact Property Maintenance at 740.670.7585.

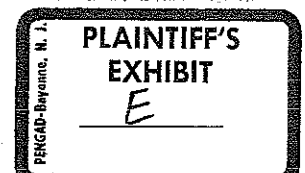
Regards,

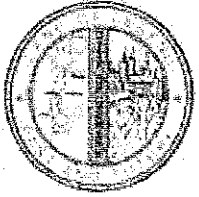
A handwritten signature in black ink, appearing to read "Will Hansen".

Will Hansen
Code Enforcement Deputy Code Administrator
City of Newark

10 West Main Street

Newark, Ohio 4305





NEWARK CITY PROPERTY MAINTENANCE

40 W MAIN STREET, SUITE 411
NEWARK, OH 43055

Ronald Watson
9190 Stewart Rd NE
Newark, OH 43055

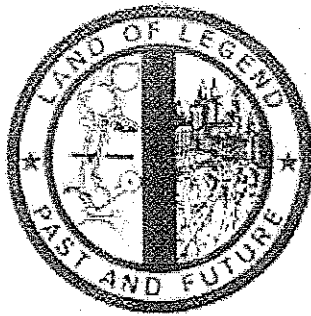
For Office Use Only	
Date Rec'd	Initials
Payment with form \$	
Money order or Cashier Check Only	

Invoice #	Invoice Date	Due Date
972	6/27/2011	7/27/2011

Description	Rate	Amount
Citation Fee	500.00	500.00
Postage Reimbursement	6.03	6.03

282/284 Elmwood Ave	Total Due	\$506.03
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Bob Diebold
Mayor
Telephone: (740) 670-7512



Roger Stollard
Safety Director
Telephone: (740) 670-7713

DEPARTMENT OF PROPERTY MAINTENANCE

Service To The People

Telephone: (740) 670-7585

Official Notice of Demolition

August 3, 2011

Ronald Watson
9190 Stewart Rd
Newark, OH

Re: 282/284 Elmwood Ave

Via Certified Mail

Dear Mr. Watson:

This letter is to once again provide notification that there is an outstanding demolition order for the structure located on the property at 282/284 Elmwood Ave. Failure to comply with previous orders issued by this Division has resulted in the City of Newark pursuing the demolition of the structure. The City has sent numerous notices of violation regarding the condition of this property, with no response.

To date, per our inspection on 8/03/11, the structure located at 282/284 Elmwood Ave. remains to be structurally unsafe and a safety hazard to the public. Deterioration of the structure continues.

This is an official notice of demolition. At this time the City will contract for the demolition of this structure. Please remove any personal property located within said structure within 10 days of the date of this notice. Please contact Property Maintenance at 740.670.7585 if you wish to execute a consent waiver. All costs incurred by the City of Newark to demolish the structure located at 282/284 Elmwood Ave will be assessed to the real estate property tax with the Licking County Auditor's office.



Pursuant Section 106.3e of the Property Maintenance Code any person who violates any provision of this code and is found by the Director of Public Safety to be non-compliant on four occasions within a 7 year period shall be deemed on the fourth occasion to be in violation of the Property Maintenance Code, a misdemeanor of the first degree and the offense shall be deemed a strict liability offense. This does not preclude the issuance of fees on the fourth and subsequent violations.

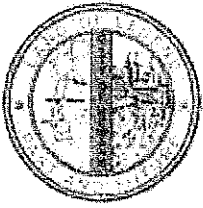
According to our records there have been four citations issued for non compliance regarding the property at 282/284 Elmwood Ave. First offense: 4/6/11, Second offense: 6/15/11, Third offense: 6/27/11 and Fourth offense: 8/3/11. At this time the Safety Director may proceed with filing misdemeanor charges. If you have any questions please contact Property Maintenance at 740.670.7585.

Regards,



Will Hansen, Inspector
Code Enforcement Deputy Code Administrator
City of Newark

cc: Newark Division of Fire



NEWARK CITY PROPERTY MAINTENANCE

40 W MAIN STREET, SUITE 411
NEWARK, OH 43055

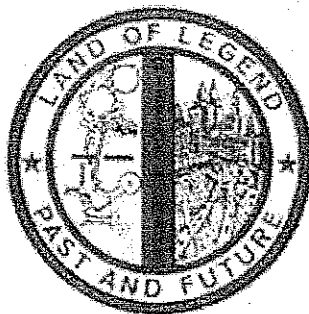
Ronald Watson
9190 Stewart Rd NE
Newark, OH 43055

For Office Use Only	
Date Rec'd	Initials
Payment with form \$	
Money order or Cashier Check Only	

Invoice #	Invoice Date	Due Date
1010	8/4/2011	9/5/2011

Description	Rate	Amount
Citation Fee	500.00	500.00
Postage Reimbursement	6.03	6.03
Total Due		\$506.03

Jeff Hall
Mayor
Telephone: (740) 670-7512



William Spurgeon
Safety Director
Telephone: (740) 670-7713

Mark Mouter
Development Director
Telephone: (740) 670-7533

CITY OF NEWARK

40 W Main Street
Newark, OH 43055

November 6, 2012

Ronald Watson
9190 Stewart Road NE
Newark, OH 43055

Re: 282-284 Elmwood Avenue

Mr. Watson:

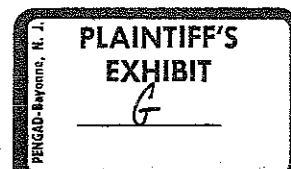
An order of demolition was issued for the above referenced structure that you own, and you did fail to comply with said order. Therefore, pursuant to Section 110.4 of the City of Newark Property Maintenance Code, the cost of the demolition and removal are being charged to you. Please see attached invoice.

Payment is due in full within seven (7) days from the date of this notice. Please remit all payments to:

City of Newark
Department of Property Maintenance
40 W Main Street
Newark, OH 43055

With regards,

William Hansen
Code Enforcement Deputy Code Administrator
City of Newark



NEWARK CITY PROPERTY MAINTENANCE

40 W MAIN STREET, SUITE 411
 NEWARK, OH 43055

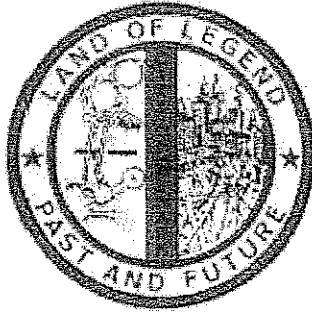
Ronald Watson
 9190 Stewart Rd NE
 Newark, OH 43055

For Office Use Only	
Date Rec'd	Initials
Payment with form \$	
Money order or Cashier Check Only	

Invoice #	Invoice Date	Due Date
1536	11/5/2012	11/5/2012

Description	Rate	Amount
Costs associated with demolition	6,350.00	6,350.00
Asbestos Removal	20,950.00	20,950.00
282 & 284 Elmwood Ave	Total Due	\$27,300.00

Bob Diebold
Mayor
Telephone: (740) 670-7512



Roger Stollard
Safety Director
Telephone: (740) 670-7713

DEPARTMENT OF PROPERTY MAINTENANCE

Service To The People

Telephone: (740) 670-7585

Notice of Violation

September 15, 2011

Ronald Watson
9190 Stewart Rd NE
Newark, OH 43055

Re: 308-310 Elmwood Ave

Dear Mr. Watson:

The Division of Property Maintenance received a complaint regarding the property that you own at 308-310 Elmwood Ave. An inspection was performed on 9/13/11. Please see the enclosed inspection report for the documented Property Maintenance Code violations.

A compliance inspection will follow the specified deadlines. Failure to correct the violations may result in a citation and penalty applicable to the offense. If you have any questions regarding this notice of violation please contact Property Maintenance at 740.670.7585.

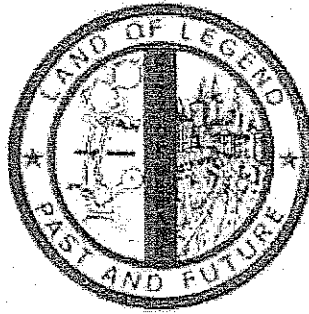
Regards,

A handwritten signature in cursive script that reads 'Joe Paul'.

Joe Paul
Property Maintenance Code Official
City of Newark



Bob Diebold
Mayor
Telephone: (740) 670-7512



Roger Stollard
Safety Director
Telephone: (740) 670-7713

DEPARTMENT OF PROPERTY MAINTENANCE

Service To The People

Telephone: (740) 670-7585

Inspection Report

Date: September 14, 2011

Property Owner: Ronald A. Watson

9190 Stewart Road NE

Newark, OH 43055

Property Address: 308-310 Elmwood Avenue

Newark, OH 43055

Inspector: Joe Paul

.....

308 Elmwood is a vacant two-story multi-family residential structure. It was inspected on the report that the building is a health and safety hazard and rife with violations of the Property Maintenance Code.

These complaints were confirmed, and the code violations are so noted:

Exterior

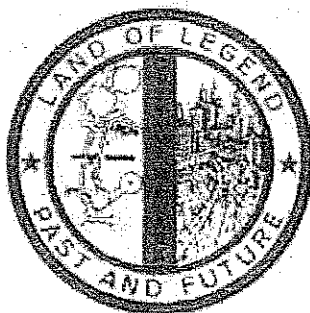
- PMC 301.3** *All vacant structures shall be maintained in a clean, safe, secure and sanitary condition.* The back door to 310 Elmwood Ave. is open and provides access to the interior, which is filled with garbage and rubbish. **Corrective action must be taken IMMEDIATELY** to secure the structure.
- PMC 302.4** *All premises and property shall be maintained free from weeds or plant growth in excess of (10) inches.* The south side of the property has overgrowth. **Corrective action must be taken to remove the rubbish and garbage by September 21, 2011.**

- **PMC 304.13** *Every window shall be kept in good repair.* There are windows on the north and south sides are missing. **Corrective action must be taken to remove the rubbish and garbage by December 12, 2011.**

- **PMC 307.1** *All exterior property shall be free from any accumulation of garbage or rubbish.* There is a large accumulation of garbage and rubbish on the property, including piles on the porch and in the south yard. **Corrective action must be taken to remove the rubbish and garbage by September 21, 2011.**

- **PMC 304.2** *All exterior surfaces shall be maintained in good condition.* The entire structure has paint peeling and flaking. **Corrective action must be taken to remove the rubbish and garbage by December 12, 2011.**

Bob Diebold
Mayor
Telephone: (740) 670-7512



Roger Stollard
Safety Director
Telephone: (740) 670-7713

DEPARTMENT OF PROPERTY MAINTENANCE

Service To The People

Telephone: (740) 670-7585

Notice of Non Compliance

September 23, 2011

Ronald Watson
9190 Stewart Rd NE
Newark, OH 43055

Re: 308-310 Elmwood Ave

Dear Mr. Watson:

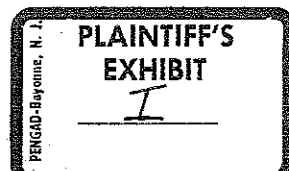
The Division of Property Maintenance performed an inspection on 9/21/11 to determine compliance with the previously documented Property Maintenance Code violations regarding the trash on the front porch and in the south portion of the yard, overgrowth on the property, the unsecured rear door and the interior which is strewn with rubbish and debris. All violations noted still exist. Failure to comply with the notice of violation dated 9/15/11 has resulted in a citation and penalty of \$150.00. Please see enclosed invoice.

The following Property Maintenance Code violations require corrective action by **October 5, 2011**:

PMC 301.3 *All vacant structures shall be maintained in a clean, safe, secure and sanitary condition.* The back door to 310 Elmwood Ave. is open and provides access to the interior, which is filled with garbage and rubbish. **Corrective action must be taken IMMEDIATELY to secure the structure.**

PMC 302.4 *All premises and property shall be maintained free from weeds or plant growth in excess of (10) inches.* The south side of the property has overgrowth. **Corrective action must be taken to remove the rubbish and garbage.**

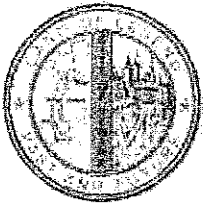
PMC 307.1 *All exterior property shall be free from any accumulation of garbage or rubbish.* There is a large accumulation of garbage and rubbish on the property, including piles on the porch and in the south yard. **Corrective action must be taken to remove the rubbish and garbage.**



A compliance inspection will follow the specified deadline. Failure to comply with this notice of violation will result in a second citation and penalty of \$250.00. If you have any questions regarding this notice please contact Property Maintenance at 740.670.7585.

Regards, *Joe Paul*

Joe Paul
Property Maintenance Code Official
City of Newark



NEWARK CITY PROPERTY MAINTENANCE

40 W MAIN STREET, SUITE 411
NEWARK, OH 43055

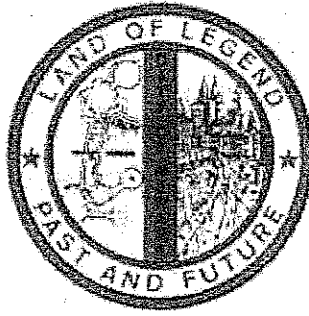
Ronald Watson
9190 Stewart Rd NE
Newark, OH 43055

For Office Use Only	
Date Rec'd	Initials
Payment with form \$	
Money order or Cashier Check Only	

Invoice #	Invoice Date	Due Date
1069	9/23/2011	10/24/2011

Description	Rate	Amount
Postage Reimbursement	150.00	150.00
	6.03	6.03
Total Due		\$156.03

Bob Diebold
Mayor
Telephone: (740) 670-7512



Roger Stollard
Safety Director
Telephone: (740) 670-7713

DEPARTMENT OF PROPERTY MAINTENANCE

Service To The People
Telephone: (740) 670-7585

Notice of Non Compliance

October 28, 2011

Ronald Watson
9190 Stewart Rd NE
Newark, OH 43055

Re: 308-310 Elmwood Ave

Dear Mr. Watson:

The Division of Property Maintenance performed an inspection on 10/27/11 to determine compliance with the previous notices of violation. The violations still exist. Failure to comply has resulted in a second citation and penalty of \$250.00. Please see enclosed invoice. The balance on the account for this property is \$412.06.

The property at 308-310 Elmwood Ave bears a placard of condemnation. Under the authority of the Property Maintenance Code Section 108.1.3 this structure is unfit for human occupancy. A structure is unfit for human occupancy whenever the Property Maintenance Code Official finds that such a structure is unsafe, unlawful, or because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or by the location of the structure constitutes a hazard to the occupants of the structure or to the public.

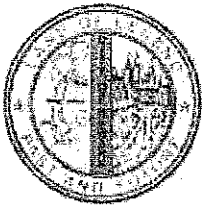
Corrective action must be taken by November 28, 2011 to demolish or completely rehabilitate the structure located at 308-310 Elmwood Ave. A corrective action plan must be submitted to the Division of Property Maintenance for review by the Code official. The corrective action plan must include an anticipated timeline for which progress will be made. A compliance inspection will follow the specified deadline. Failure to comply with this notice of violation will result in a third citation of non-compliance and penalty of \$500.00; in addition the City of Newark may contract for the structure at 308-310 Elmwood Ave to be razed.



If you have any questions regarding this notice please contact Property Maintenance at 740.670.7585.

Regards, *Joe Paul*

Joe Paul
Property Maintenance Code Official
City of Newark



NEWARK CITY PROPERTY MAINTENANCE

40 W MAIN STREET, SUITE 411
NEWARK, OH 43055

Ronald Watson
9190 Stewart Rd NE
Newark, OH 43055

For Office Use Only	
Date Rec'd	Initials
Payment with form \$	
Money order or Cashier Check Only	

Invoice #	Invoice Date	Due Date
1123	10/28/2011	11/28/2011

Description	Rate	Amount
Postage Reimbursement	250.00 6.03	250.00 6.03
308-310 Elmwood Ave.		Total Due \$256.03

PLACARD OF CONDEMNATION ORDER TO VACATE

REAL ESTATE PROPERTY AT: 308-310 Elmwood Ave NEWARK, OH 43055

IS IN VIOLATION OF PROPERTY MAINTENANCE CODE 07-03 ADOPTED BY
ORDINANCE 1/16/07.

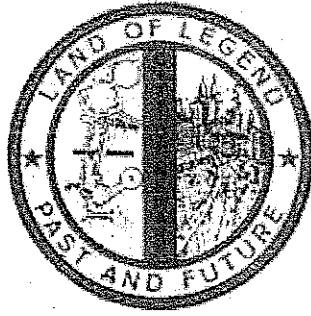
This structure is unfit for human occupancy per Section 108.1.3 of the Property Maintenance Code. A structure is unfit for human occupancy whenever the Safety Director finds that such a structure is unsafe, unlawful, or because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or by the location of the structure constitutes a hazard to the occupants of the structure or to the public.

THE SAFETY DIRECTOR SHALL REMOVE THE CONDEMNATION PLACARD WHEN THE DEFECT(S) UPON WHICH THE CONDEMNATION AND PLACARDING ACTION WERE BASED HAS BEEN ELIMINATED. ANY PERSON WHO UNLAWFULLY OCCUPIES THIS PROPERTY, PERMITS THE UNLAWFULLY OCCUPANCY AT THIS PROPERTY OR WHO DEFACES OR REMOVES A PLACARD OF CONDEMNATION WITHOUT THE APPROVAL OF THE SAFETY DIRECTOR MAY BE SUBJECT TO APPLICABLE ADMINISTRATIVE, CIVIL OR CRIMINAL PENALTIES AVAILABLE UNDER THE CITY OF NEWARK PROPERTY MAINTENANCE CODE OR OTHER APPLICABLE LAW. Ord 108.4

This structure must be vacated IMMEDIATELY. FOR FURTHER
INFORMATION CONTACT THE DIVISION OF PROPERTY MAINTENANCE
AT (740) 670-7585.



Bob Diebold
Mayor
Telephone: (740) 670-7513



Roger Stollard
Safety Director
Telephone: (740) 670-7713

DEPARTMENT OF PROPERTY MAINTENANCE

Service To The People

Telephone: (740) 670-7585

Notice of Non Compliance

December 6, 2011

Ronald Watson
9190 Stewart Rd NE
Newark, OH 43055

Re: 308-310 Elmwood Ave

Dear Mr. Watson:

The Division of Property Maintenance performed an inspection on 11/30/11 to determine compliance with the previous notices of violation dated 10/28/11 which order complete rehabilitation or demolition of the structure located at 308-310 Elmwood Ave. The structure remains to be in the same dilapidated, unsanitary condition as previously documented. Failure to comply with this Division's previous notices of violation has resulted in a third citation and penalty of \$500.00. The current balance on the account for this property is \$918.09, of which \$156.03 has been certified to the property taxes.

It was reported to this Division by neighbors that vagrants are trespassing in this structure. This structure poses a safety and health hazard to the public. If this structure is not secured by **December 9, 2011** the Property Maintenance Code Official will take corrective action and assess all costs incurred to you.

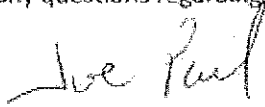
The property at 308-310 Elmwood Ave bears a placard of condemnation. Under the authority of the Property Maintenance Code Section 108.1.3 this structure is unfit for human occupancy. A structure is unfit for human occupancy whenever the Property Maintenance Code Official finds that such a structure is unsafe, unlawful, or because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or by the location of the structure constitutes a hazard to the occupants of the structure or to the public.



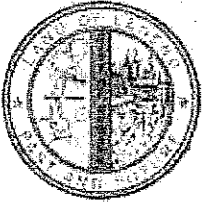
Corrective action must be taken by **December 23, 2011** to demolish or completely rehabilitate the structure located at 308-310 Elmwood Ave. A corrective action plan must be submitted to the Division of Property Maintenance for review by the Code official. The corrective action plan must include an anticipated timeline for which progress will be made. A compliance inspection will follow the specified deadline. Failure to comply with this notice of violation will result in a fourth citation of non-compliance and penalty of \$500.00; in addition the City of Newark may contract for the structure at 308-310 Elmwood Ave to be razed.

If you have any questions regarding this notice please contact Property Maintenance at 740.670.7585.

Regards,

A handwritten signature in black ink, appearing to read "Joe Paul", written over the word "Regards,".

Joe Paul
Property Maintenance Code Official
City of Newark



NEWARK CITY PROPERTY MAINTENANCE

40 W MAIN STREET, SUITE 411
NEWARK, OH 43055

Ronald Watson
9190 Stewart Rd NE
Newark, OH 43055

For Office Use Only

Date Rec'd Initials

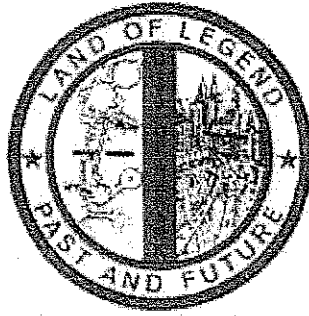
Payment with form
\$

Money order or Cashier
Check Only

Invoice #	Invoice Date	Due Date
1164	12/1/2011	1/2/2012

Description	Rate	Amount
Citation Fee	500.00	500.00
Postage Reimbursement	6.03	6.03
Total Due		\$506.03

Bob Diebold
Mayor
Telephone: (740) 670-7512



Roger Stollard
Safety Director
Telephone: (740) 670-7713

DEPARTMENT OF PROPERTY MAINTENANCE

Service To The People

Telephone: (740) 670-7585

Notice of Non Compliance

December 14, 2011

Ronald Watson
9190 Stewart Rd NE
Newark, OH 43055

Re: 308-310 Elmwood Ave

Dear Mr. Watson:

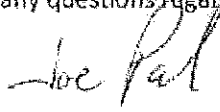
The Division of Property Maintenance performed an inspection on 12/12/11 to determine compliance with the previous notices of violation regarding the unsecured structure located at 308-310 Elmwood Ave. Upon inspection the violation still existed, therefore the Code Official corrected the violation. The structure has now been boarded up in an effort to keep vagrants out. Failure to comply with this Division's previous notices of violation has resulted in a fourth citation and penalty of \$500.00. The current balance on the account for this property is \$1424.12, of which \$156.03 has been certified to the property taxes.

As a reminder a compliance inspection is scheduled for **December 23, 2011** to demolish or completely rehabilitate the structure located at 308-310 Elmwood Ave. **A corrective action plan must be submitted to the Division of Property Maintenance for review by the Code official. The corrective action plan must include an anticipated timeline for which progress will be made.** A compliance inspection will follow the specified deadline. Failure to comply with this notice of violation will result in a fourth citation of non-compliance and penalty of \$500.00; in addition the City of Newark may contract for the structure at 308-310 Elmwood Ave to be razed.

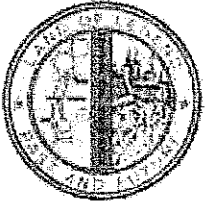


If you have any questions regarding this notice please contact Property Maintenance at 740.670.7585.

Regards,

A handwritten signature in black ink that reads "Joe Paul". The signature is written in a cursive style with a large, stylized "P" and "L".

Joe Paul
Property Maintenance Code Official
City of Newark



NEWARK CITY PROPERTY MAINTENANCE

40 W MAIN STREET, SUITE 411
NEWARK, OH 43055

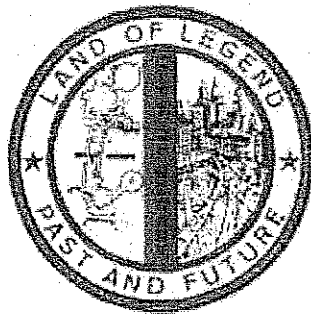
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Date Rec'd	Initials
Payment with form \$	
Money order or Cashier Check Only	

Ronald Watson 9190 Stewart Rd NE Newark, OH 43055

Invoice #	Invoice Date	Due Date
1184	12/14/2011	1/16/2012

Description	Rate	Amount
Citation Fee	500.00	500.00
Postage Reimbursement	6.03	6.03
Total Due		\$506.03

Bob Diebold
Mayor
Telephone: (740) 670-7512



Roger Stollard
Safety Director
Telephone: (740) 670-7713

DEPARTMENT OF PROPERTY MAINTENANCE

Service To The People

Telephone: (740) 670-7585

**Official Notice of Demolition
Notice of Non Compliance**

December 30, 2011

Ronald Watson
9190 Stewart Rd NE
Newark, OH 43055

Re: 308-310 Elmwood Ave

Via Certified Mail

Dear Mr. Watson:

This letter is to inform you there is an outstanding demolition order for the structure located on your property at 308-310 Elmwood Ave. Failure to comply with previous orders issued by this Division has resulted in a subsequent citation and penalty of \$500.00. Please see the enclosed invoice.

To date, per our inspection on 12/29/11, the structure located at 308-310 Elmwood Ave. remains to be structurally unsafe and a safety hazard to the public. Deterioration of the structure continues to progress. This structure was previously unsecured and appeared to have been entered many times, therefore was boarded up by the Property Maintenance Code official. Upon inspection on 12/19/11 a window on the south side of the property was open and it appeared someone was still entering the building, that window was then secured to prevent any further access.

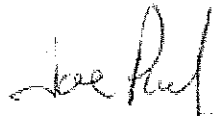
Please be advised that pursuant the authority granted to the City of Newark, Department of Public Safety, Division of Property Maintenance, you are hereby provided a notice of demolition pursuant to Property Maintenance Code Section 110.

This is an official notice of demolition. At this time the City will contract for the demolition of this structure. Please remove any personal property located within said structure within 10 days of the date

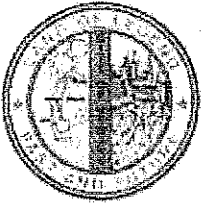


of this notice. If you are willing to consent to the said demolition please contact Property Maintenance at 740.670.7585 to execute a waiver. All costs incurred by the City of Newark to demolish the structure located at 308-310 Elmwood Ave may be assessed to the real estate property tax with the Licking County Auditor's office.

Regards,



Joe Paul
Property Maintenance Code Official
City of Newark



NEWARK CITY PROPERTY MAINTENANCE

40 W MAIN STREET, SUITE 411
NEWARK, OH 43055

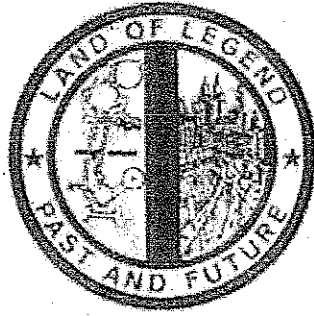
For Office Use Only	
Date Rec'd	Initials
Payment with form \$	
Money order or Cashier Check Only	

Ronald Watson 9190 Stewart Rd NE Newark, OH 43055

Invoice #	Invoice Date	Due Date
1207	12/30/2011	1/30/2012

Description	Rate	Amount
Citation Fee	500.00	500.00
Postage Reimbursement	6.03	6.03
Total Due		\$506.03

Jeff Hall
Mayor
Telephone: (740) 670-7512



William Spurgeon
Safety Director
Telephone: (740) 670-7713

Mark Mauser
Development Director
Telephone: (740) 670-7553

CITY OF NEWARK

40 W Main Street
Newark, OH 43055

November 6, 2012

Ronald Watson
9190 Stewart Road NE
Newark, OH 43055

Re: 308-310 Elmwood Avenue

Mr. Watson:

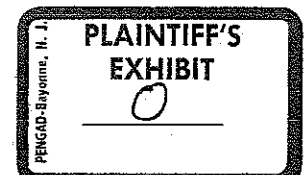
An order of demolition was issued for the above referenced structure that you own, and you did fail to comply with said order. Therefore, pursuant to Section 110.4 of the City of Newark Property Maintenance Code, the cost of the demolition and removal are being charged to you. Please see attached invoice.

Payment is due in full within seven (7) days from the date of this notice. Please remit all payments to:

City of Newark
Department of Property Maintenance
40 W Main Street
Newark, OH 43055

With regards,

William Hansen
Code Enforcement Deputy Code Administrator
City of Newark



NEWARK CITY PROPERTY MAINTENANCE

40 W MAIN STREET, SUITE 411
NEWARK, OH 43055

For Office Use Only	
Date Rec'd	Initials
Payment with form \$	
Money order or Cashier Check Only	

Ronald Watson
9190 Stewart Rd NE
Newark, OH 43055

Invoice #	Invoice Date	Due Date
1537	11/5/2012	11/5/2012

Description	Rate	Amount
Costs associated with demolition	6,380.00	6,380.00
Asbestos Removal	720.00	720.00
308-310 Elmwood Ave	Total Due	\$7,100.00