

Exhibit "1"

FILE OF COUNCIL

No. 12 of 2013

PRESENTED IN CITY COUNCIL August 13, 2013

AN ORDINANCE AMENDING PART OF CHAPTER 7 OF THE CITY OF WILKES-BARRE CODE OF ORDINANCES, SPECIFICALLY 7-239, GOVERNING GROUNDS FOR RENEWAL, SUSPENSION OR REVOCATION OF RENTAL LICENSE

WHEREAS, it is the desire of City Council to pass legislation to correct the drug problems and to alleviate any further drug activity within the City limits; and

WHEREAS, it is also the desire of City Council to pass legislation to correct any criminal issues with firearms within the limits of the City of Wilkes-Barre; and

WHEREAS, the City of Wilkes-Barre is also intent on substantially reducing and/or eliminating crime within the City by imposing regulations upon property owners and occupants which are more strict as they relate to drug activity, violence, criminal acts and civil disobedience.

WHEREAS, the City of Wilkes-Barre is concerned with crime in neighborhoods which statistically stems from properties which are not or do not meet proper health and code standards.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wilkes-Barre, and it is hereby ordained by the authority of the same that:

SECTION 7-239 (d)(1)(f) which currently reads:

f. The code enforcement officer may close a rental unit (or a property containing more than one (1) rental unit) pursuant to this subsection when one (1) or more of the following events occurs:

i. A riot as defined in Title 18 of the Pennsylvania Statutes occurs on the premises where the rental unit(s) is located;

ii. Three (3) or more of the following occur in any combination within a six-month period: violations of this section under Chapter

7 have occurred, or disruptive conduct reports or police reports are generated from activity on the premises where the rental unit(s) is located;

iii. The rental unit, common areas, or the premises is condemned by the code enforcement officer, the Wilkes-Barre City Fire Department, or any other appropriate city official, as unsafe for human occupancy, or structurally unsafe;

iv. The owner has failed to appoint a manager as required by this section;

v. The owner has failed to comply with any applicable building codes, zoning codes, housing codes or any provision of this chapter; or, the owner has failed to pay the fine or rectify the underlying problem which generated a citation and/or fine from the code enforcement office regarding the condition of the premises; or an owner, after written notice of violation(s), has failed to come into compliance with the Wilkes-Barre Code of Ordinances, within such time as the code enforcement officer may designate.

In the event there is a violation of any provision of section 7-239(d)(1)f., the rental unit or rental unit(s) of a multi-unit building, when necessary, shall be closed by the City of Wilkes-Barre for a period of time which will be the lesser of the time needed to cure the violating event or six (6) months. The violation of section 7-239(d)(1)f.ii. or iii. shall require the closure of the rental unit(s) for a period of six (6) months. Each re-opening without having cured the violation or prior to obtaining a new certificate of occupancy shall be considered a new violation subject to any applicable fines, penalties or additional closure orders.

vi. Three (3) or more nuisance violations, under Chapter 18 of the Wilkes-Barre Code of Ordinances, have occurred on the premises within any six (6) month period.

IS HEREBY AMENDED TO READ:

f. The code enforcement officer, or any authorized agent thereof, may close a rental unit (or an entire property or structure or building containing more than one (1) rental unit) pursuant to this subsection when one (1) or more of the following events occurs at the property:

i. A riot as defined in Title 18 of the Pennsylvania Statutes occurs on the premises where the rental unit(s) is located;

ii. Three (3) or more of the following occur in any combination within any six-month period: violations of this section under Chapter 7 have occurred; and/or disruptive conduct reports and/or police reports are generated from activity on the premises where the rental unit(s) is located;

iii. The rental unit, common areas, or the premises is condemned by the code enforcement officer, the Wilkes-Barre City Fire Department, or any other appropriate city official, as unsafe for human occupancy, or structurally unsafe;

iv. The owner has failed to appoint a property manager as required by this section, or if the property manager is not properly licensed as required by the Commonwealth of Pennsylvania;

v. The owner has failed to comply with any applicable building codes, zoning codes, housing codes or any provision of this Chapter; and/or, the owner has failed to pay the fine or rectify the underlying problem which generated a citation and/or fine from the code enforcement office regarding the condition of the premises; or an owner, after written notice of violation(s), has failed to come into compliance with the Wilkes-Barre Code of Ordinances, within such time as the code enforcement officer may designate.

vi. Three (3) or more nuisance violations, under Chapter 18 of the Wilkes-Barre Code of Ordinances, have occurred on the premises within any six (6) month period.

vii. An occupant or owner has implied or actual knowledge of drug activity, if the owner and/or occupant is charged or convicted in a court of competent jurisdiction of selling or distributing narcotics or controlled substances, as these terms are defined in the Pennsylvania statutes, in the rental unit, common areas or on the

premises or property. Said knowledge may be imputed to the occupant or owner based on police knowledge and experience of drug activity on the premises or property.

viii. An occupant or owner has implied or actual knowledge of any illegal or criminal action with a firearm, in any instance where the owner and/or occupant(s) are charged or convicted in a court of competent jurisdiction of murder or attempted murder, in any degree, manslaughter, assault with a deadly weapon, possession of an illegal firearm, gun manufacturing, gun or firearm trafficking, illegal possession of a firearm, or any crime where a firearm is used as an accessory and/or part of the commission of the said crime, as these terms are or may be defined in the Pennsylvania statutes, in the rental unit, common areas or on the premises or property. Said knowledge may be imputed to the occupant or owner based on police knowledge and experience of such criminal activity(ies) on the premises or property.

In the event there is a violation of any provision of section 7-239(d)(1)(f) i., iv. and v., the rental unit or rental unit(s) of a multi-unit building, when necessary, may be closed by the City of Wilkes-Barre for a period of time which will be the lesser of the time needed to cure the violating event or six (6) months. The violation of section 7-239(d)(1)(f) ii, iii, vii. or viii. shall require the closure of the rental unit(s) for a period of six (6) months at the direction of the City of Wilkes-Barre. Each re-opening without having cured the violation or prior to obtaining a new certificate of occupancy shall be considered a new violation subject to any applicable fines, penalties or additional, consecutive closure orders.

Any person aggrieved by an order of the City for closure of a rental unit or suspension or termination of a rental license issued under this article relating to housing, building, health or disruptive conduct may appeal such order, within twenty (20) days from the date of the order to the Housing Appeals Board by filing an appeal in the Office of Code Enforcement at Wilkes-Barre City Hall, and paying a non-refundable appeal fee of One Hundred Dollars (\$100.00).

SECTION 7-239 (f) shall be supplemented as follows:

- (3) For purposes of this section and article, any notice required hereunder which is given to the agent, property manager or occupant shall be deemed as notice given to the owner. A claimed lack of knowledge by the owner, property manager or agent, if applicable, of any violation hereunder cited shall be no defense to closure of rental units, as long as all notice prerequisite to such proceedings has been given in accordance with this section or article.

SEVERABILITY.

If it is determined by a proper legal authority that any section or part thereof is unconstitutional or otherwise invalid, the remaining sections and parts thereof shall remain in full force and effect and be unaffected by such determination.

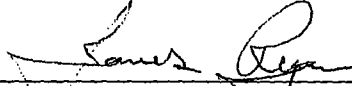
CONFLICT.

Any ordinance or law of the City of Wilkes-Barre which is in conflict with the provisions of this Ordinance, as outlined above, is hereby automatically repealed, and this Ordinance shall control.

EFFECTIVE DATE OF ORDINANCE

This Ordinance shall become effective ten (10) days after final adoption by Wilkes-Barre City Council.

ATTEST:



JAMES RYAN, CITY CLERK


THE UNDERSIGNED RECOMMEND THE PASSAGE OF THE FOREGOING ORDINANCE.


BROWN


Absent
LAVELLE


MERRITT

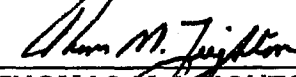
Absent
GEORGE


BARRETT

ATTEST:


CITY CLERK

APPROVED:


THOMAS M. LEIGHTON
MAYOR

VETO:

THOMAS M. LEIGHTON
MAYOR

Aug 22, 2013
DATE APPROVED

DATE VETOED

Exhibit "2"

**CITY OF WILKES-BARRE
PENNSYLVANIA
Thomas M. Leighton, Mayor**



OFFICE OF CODE ENFORCEMENT
40 East Market Street
Wilkes-Barre, PA 18711
Tel. 570.208.1629

NOTICE

THE FOLLOWING PROPERTY:

**216 CARLISLE STREET, WILKES-BARRE,
PENNSYLVANIA, APARTMENT 2**

IS HEREBY ORDERED **CLOSED** BY THE CITY OF WILKES-BARRE OFFICE OF CODE ENFORCEMENT UNTIL **THURSDAY, MARCH 14, 2013** PURSUANT TO ORDINANCE NO. 12 OF 2013, CHAPTER 7 OF THE CODE OF ORDINANCES, SECTION 7-239 (d)(1)(f). FURTHER, ALL RENTAL LICENSES HAVE BEEN **REVOKED**. ANYONE CAUGHT ENTERING THIS UNIT SHALL BE PROSECUTED. REMOVAL OF THIS NOTICE SHALL ALSO RESULT IN PROSECUTION AND A FINE OF \$300.00.

FOR MORE INFORMATION, CONTACT THE OFFICE OF CODE ENFORCEMENT AT 570.208.1629.

ORDER DATE: **FRIDAY, SEPTEMBER 13, 2013**

CODE ENFORCEMENT OFFICER

Exhibit "3"

CS

September 13, 2013

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Washington St Rentals, LLC
ATTN: ADAM PETERS
108 East 6th Street, FL 2
Red Hill, PA 18076

**RE: NOTICE OF CLOSURE OF RENTAL UNIT
216 CARLISLE STREET, APT. 2, WILKES-BARRE, PA
ORDINANCE NO. 12 OF 2013/CHAPTER 7, § 7-239(d)(1)(f)(vii)**

Dear Mr. Peters:

As you are aware, Apartment 2 of the property known as 216 Carlisle Street, Wilkes-Barre, Pennsylvania was recently the subject of an arrest related to drug activity on September 11, 2013, following a drug trafficking search involving the Wilkes-Barre Police Drug Task Force, the Wilkes-Barre Police Anti-Crime Unit, the Pennsylvania State Police Vice Unit and the Pennsylvania Attorney General's Office Drug Task Force. The resident of the property was on an ankle monitoring system, and was confined to the residence. This specific unit was used for drug trafficking confirmed by the aforementioned crime units.

Pursuant to Wilkes-Barre City Ordinance Number 12 of 2013, Chapter 7 of the Wilkes-Barre Code of Ordinances, Section 7-239 (d)(1)(f)(vii), Apartment 2 of 216 Carlisle Street, Wilkes-Barre, Pennsylvania is formally closed effective immediately until **March 13, 2014**. All rental licenses are formally revoked by the City of Wilkes-Barre, pursuant to the directive of the Office of Code Enforcement. No parties, individuals and/or entities are permitted to enter the said unit unless permitted directly by the Office of Code Enforcement.

Washington St Rentals, LLC
September 13, 2013
Page 2 of 2

CITY OF WILKES-BARRE

RIGHT OF APPEAL

You have a right to appeal this determination by the Office of Code Enforcement You must appeal no later than **TWENTY (20) DAYS** from the date of this Order, which is **SEPTEMBER 13, 2013**. As a result, your appeal is due to be filed no later than 4:30 PM, Thursday, October 3, 2013. Appeals are completed and will be heard by the Housing Appeals Board by filing an appeal in the Office of Code Enforcement at Wilkes-Barre City Hall, 40 East Market Street, Wilkes-Barre, Pennsylvania 18711, and paying a non-refundable appeal fee of One Hundred Dollars (\$100.00). An appeal of this closure in accordance with the said ordinance and Code does not serve as an automatic appeal of any other code violations which may have occurred and/or for which you have received notice.

Should you have any questions, or should you need any additional information, please do not hesitate to contact me at 570.208.4155 or the Office of Code Enforcement at 570.208.1629.

Very truly yours,

WILLIAM E. VINSKO, JR., ESQUIRE
Assistant City Attorney

cc: Mayor Thomas M. Leighton
Marie McCormick, City Administrator
Greg Barrouk, Deputy Administrator
Girard Dessoye, Chief of Police
Drew McLaughlin, Municipal Affairs Manager
Butch Frati, Director of Operations
Michael Simonson, Building Code Official

Exhibit "4"

CITY OF WILKES-BARRE
Pennsylvania

THOMAS M. LEIGHTON
MAYOR

BUTCH FRATI
DIR. of OPERATIONS



40 E. MARKET ST.
WILKES-BARRE, PA. 18711

(570) 208-4152
www.wilkes-barre.pa.us

HOUSING BOARD OF APPEALS

April 24, 2014

Mr. Adam Peters
108 E 6th Street Fl 2
Red Hill, PA 18076

ONE STRIKE VIOLATION

Address Violation: 216 Carlisle Street Wilkes-Barre, PA 18702

Mr. Peters,

You are hereby notified that on November 19, 2013 the City of Wilkes-Barre Housing Board of Appeals rendered a decision wherein they found you in violation of section 7-239 (d) (1) (f) (vii) of the City of Wilkes-Barre Code of Ordinances as amended and has upheld the Order of the City of Wilkes-Barre Code Enforcement Officer. In closing your rental unit situate at 216 Carlisle Street apartment 2 closed until March 13, 2014.

You have the right to appeal this determination by the Wilkes-Barre City Housing Board of Appeals to any court of competent jurisdiction.

Respectfully,

A handwritten signature in cursive script that reads "Patty Hughes".

Patty Hughes
Housing Board of Appeals
570-208-1629
phughes@wilkes-barre.pa.us

Exhibit "5"



OFFICE OF CODE ENFORCEMENT

40 East Market Street
Wilkes-Barre, PA 18711
Tel: 570.208.1629

NOTICE

THE FOLLOWING PROPERTY

516 North Main St Apt B
Wilkes-Barre PA

IS HEREBY ORDERED CLOSED BY THE CITY OF
WILKES-BARRE OFFICE OF CODE ENFORCEMENT
UNTIL 9/7/2014 PURSUANT TO

ORDINANCE NO. 12 OF 2013, CHAPTER 7 OF THE CODE
OF ORDINANCES, SECTION 7-239 (d)(1). FURTHER,
ALL RENTAL LICENSES HAVE BEEN REVOKED.
ANYONE CAUGHT ENTERING THIS UNIT SHALL BE
PROSECUTED. REMOVAL OF THIS NOTICE SHALL
ALSO RESULT IN PROSECUTION AND A FINE OF
\$300.00.

FOR MORE INFORMATION, CONTACT THE OFFICE OF
CODE ENFORCEMENT AT 570.208.1629.

ORDER DATE 3/7/2014


CODE ENFORCEMENT OFFICER

Exhibit "6"

CITY OF WILKES-BARRE
Pennsylvania
Thomas M. Leighton, Mayor

Timothy J. Henry, Esquire
City Attorney



William E. Vinsko, Jr., Esquire
Assistant City Attorney

Margaret M. Sharknas
Paralegal

OFFICE OF THE CITY ATTORNEY
40 East Market Street
Wilkes-Barre, PA 18711
Tel. (570) 208-4155 Fax (570) 208-4153

October 30, 2013

EYW Global, LLC
30 Brook St
Somerset, NJ 08873
Attn: Eugene Wu

RE: NOTICE OF CLOSURE OF RENTAL UNIT
117 GROVE STREET, WILKES-BARRE, PA
ORDINANCE NO. 12 OF 2013/CHAPTER 7, § 7-239(d)(1)(f)(vii)

Dear Mr. Wu:

As you are aware, your property at 117 Grove Street, Wilkes-Barre, Pennsylvania was recently the subject of an arrest related to gun activity on October 29, 2013, following an arrest by the Wilkes-Barre Police.

Pursuant to Wilkes-Barre City Ordinance Number 12 of 2013, Chapter 7 of the Wilkes-Barre Code of Ordinances, Section 7-239 (d)(1)(f)(vii), the property known as 117 Grove Street, Wilkes-Barre, Pennsylvania is formally closed effective immediately until **April 30, 2014**. All rental licenses are formally revoked by the City of Wilkes-Barre, pursuant to the directive of the Office of Code Enforcement. No parties, individuals and/or entities are permitted to enter the said unit unless permitted directly by the Office of Code Enforcement.

RIGHT OF APPEAL

You have a right to appeal this determination by the Office of Code Enforcement You must appeal no later than **TWENTY (20) DAYS** from the date of this Order, which is **NOVEMBER 19, 2013**. As a result, your appeal is due to be filed no later than 4:30 PM,

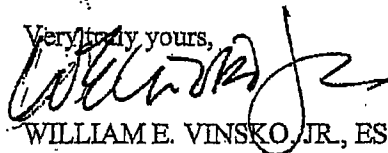
EYW Global, LLC
October 30, 2013
Page 2 of 2

CITY OF WILKES-BARRE

November 19, 2013. Appeals are completed and will be heard by the Housing Appeals Board by filing an appeal in the Office of Code Enforcement at Wilkes-Barre City Hall, 40 East Market Street, Wilkes-Barre, Pennsylvania 18711, and paying a non-refundable appeal fee of One Hundred Dollars (\$100.00). An appeal of this closure in accordance with the said ordinance and Code does not serve as an automatic appeal of any other code violations which may have occurred and/or for which you have received notice.

Should you have any questions, or should you need any additional information, please do not hesitate to contact me at 570.208.4155 or the Office of Code Enforcement at 570.208.1629.

Very truly yours,



WILLIAM E. VINSKO, JR., ESQUIRE
Assistant City Attorney

cc: Mayor Thomas M. Leighton
Marie McCormick, City Administrator
Greg Barrouk, Deputy Administrator
Girard Dessoie, Chief of Police
Drew McLaughlin, Municipal Affairs Manager
Butch Frati, Director of Operations
Michael Simonson, Building Code Official

Exhibit "7"

CITY OF WILKES-BARRE
Pennsylvania

THOMAS M. LEIGHTON
MAYOR

BUTCH FRATI
DIR. of OPERATIONS



40 E. MARKET ST.
WILKES-BARRE, PA. 18711

(570) 208-4152
www.wilkes-barre.pa.us

HOUSING BOARD OF APPEALS

April 24, 2014

Yigun Wu
C/o Tina Hall
171 Charles Street
Wilkes-Barre, PA 18702

ONE STRIKE VIOLATION

Address Violation: 117 Grove Street Wilkes-Barre, PA 18702

Mr. Wu,

You are hereby notified that on December 12, 2013 the City of Wilkes-Barre Housing Board of Appeals rendered a decision wherein they found you in violation of section 7-239 (d) (1) (f) (vii) of the City of Wilkes-Barre Code of Ordinances as amended and has upheld the Order of the City of Wilkes-Barre Code Enforcement Officer. In closing your rental unit situate at 216 Carlisle Street apartment 2 closed until April 30, 2014.

You have the right to appeal this determination by the Wilkes-Barre City Housing Board of Appeals to any court of competent jurisdiction.

Respectfully,

Patty Hughes
Housing Board of Appeals
570-208-1629
phughes@wilkes-barre.pa.us

7102 3012 3000 0000 2899 6079

U.S. Postal Service
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TINA HALL
Street, Apt. No., or PO Box No.
171 Charles St
City, State, ZIP+4
18702 PA 18702

Exhibit "8"

CITY OF WILKES-BARRE
Pennsylvania
Thomas M. Leighton, Mayor

Timothy J. Henry, Esquire
City Attorney



William E. Vinsko, Jr., Esquire
Assistant City Attorney

Margaret M. Sharkanas
Paralegal

OFFICE OF THE CITY ATTORNEY
40 East Market Street
Wilkes-Barre, PA 18711
Tel. (570) 208-4155 Fax (570) 208-4153

March 19, 2014

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED

B&L Investment Properties, LLC
619 Blair Road
Bethlehem, PA 18017-2438

**RE: NOTICE OF CLOSURE OF RENTAL UNIT
91 CUSTER STREET, WILKES-BARRE, PA
ORDINANCE NO. 12 OF 2013/CHAPTER 7, § 7-239(d)(1)(f)(vii) / (viii)**

Dear Sir/Madam:

As you are aware, the property known as 91 Custer Street, Wilkes-Barre, Pennsylvania was recently the subject of an arrest related to both drug and gun activity on March 19, 2014, following a search involving the Wilkes-Barre Police Department.

Pursuant to Wilkes-Barre City Ordinance Number 12 of 2013, Chapter 7 of the Wilkes-Barre Code of Ordinances, Section 7-239 (d)(1)(f)(vii) and (viii), 91 Custer Street, Wilkes-Barre, Pennsylvania is formally closed effective immediately until September 19, 2014. All rental licenses are formally revoked by the City of Wilkes-Barre, pursuant to the directive of the Office of Code Enforcement. No parties, individuals and/or entities are permitted to enter the said unit unless permitted directly by the Office of Code Enforcement.

RIGHT OF APPEAL

You have a right to appeal this determination by the Office of Code Enforcement You must appeal no later than **TWENTY ONE (21) DAYS** from the date of this Order. As a result, your appeal is due to be filed no later than 4:30 PM on the twenty-first day. Appeals are completed and will be heard by the Housing Appeals Board by filing an appeal in the Office of

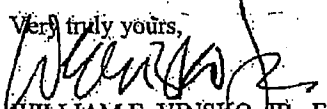
B&L Investment Properties, LLC
March 19, 2014
Page 2 of 2

CITY OF WILKES-BARRE

Code Enforcement at Wilkes-Barre City Hall, 40 East Market Street, Wilkes-Barre, Pennsylvania 18711, and paying a non-refundable appeal fee of One Hundred Dollars (\$100.00). An appeal of this closure in accordance with the said ordinance and Code does not serve as an automatic appeal of any other code violations which may have occurred and/or for which you have received notice.

Should you have any questions, or should you need any additional information, please do not hesitate to contact me at 570.208.4155 or the Office of Code Enforcement at 570.208.1629.

Very truly yours,



WILLIAM E. VINSKO JR., ESQUIRE
Assistant City Attorney

cc: Mayor Thomas M. Leighton
Marie McCormick, City Administrator
Greg Barouk, Deputy Administrator
Girard Dessoye, Chief of Police
Drew McLaughlin, Municipal Affairs Manager
Butch Frati, Director of Operations
Michael Simonson, Building Code Official