



## ZACH KLEIN COLUMBUS CITY ATTORNEY

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# City Attorney Zach Klein Says Court Orders Arrest of Fort Rapids Owner Who No-Showed Compliance Hearing, Sets Stage for Property Takeover by Receiver

**COLUMBUS, OH**—Columbus City Attorney Zach Klein today announced the Environmental Court sided with the City and ordered the arrest of Jeff Kern, the defendant in a nuisance property case involving the former Fort Rapids Indoor Waterpark on the City's east side, who failed to attend today's mandatory compliance hearing as ordered by the Court.

In June, Judge Stephanie Mingo held Mr. Kern in contempt of court for repeatedly failing to bring the dilapidated property into compliance with safety codes, and required Kern to submit a rehabilitation timeline and proof of funding by Aug. 1 or face jail time. Kern did not appear at Thursday's hearing and no plan or proof of funding was presented to the Court. Judge Mingo also agreed to set a date for a receivership hearing, the first step toward a takeover of the property to bring it into compliance and prepare it for sale to a new ownership group.

**“Letting this property fall into disrepair and walking away from the responsibility to fix this mess is not an option. We’re committed to the future of this site, and we will continue to use every available tool to hold these owners accountable, bring the property up to code, and reignite this site’s economic potential,”** said Columbus City Attorney Zach Klein. **“We’re moving forward with a plan to hopefully get a group in here to take over the property, bring it up to code, and prepare it for sale to an ownership that sees the value in this site.”**

In June, the Court held owners in contempt for failing to bring the property into code compliance as ordered by the Court. The Court awarded the City \$199,000 in contempt fines and doubled daily fines against property owners, which now total \$2,000 per day until the property is brought into compliance. The Court also mandated that the defendant submit written plans for the full rehabilitation of the property, including a project timeline for all outstanding violations, a plan for fire safety system improvements, plans for securing the exterior of the property, and a plan for continuing maintenance at the premises. Owners were also ordered to post cash or bond for 125 percent of the costs of the full rehabilitation plan. Failure to comply with these sections of the order would result in jail time for the defendant, which Judge Mingo ordered Thursday.

The judge set a \$2.5 million bond upon Kern's arrest.

A receivership hearing is set for October.