

409 Ryan Avenue, Apt. F
Columbus, Ohio 43223

and

**UNKNOWN TENANTS OF
409 RYAN AVENUE, APT. G**
409 Ryan Avenue, Apt. G
Columbus, Ohio 43223

and

**CHERYL BROOKS SULLIVAN
FRANKLIN COUNTY TREASURER**
373 South High Street, 17th Floor
Columbus, Ohio 43215

and

**REAL PROPERTY AT
58 NORTH WAYNE AVENUE**
58 North Wayne Avenue
Columbus, Ohio 43204

Parcel Nos. 010-015550

010-019419

010-023122

and

010-044094

**REAL PROPERTY AT
385 SOUTH WHEATLAND AVENUE**
385 South Wheatland Avenue
Columbus, Ohio 43204

010-059794

010-020056

and

**REAL PROPERTY AT
183 SOUTH BURGESS AVENUE**
183 South Burgess Avenue
Columbus, Ohio 43204

and

**REAL PROPERTY AT
230 NORTH WAYNE AVENUE**
230 North Wayne Avenue
Columbus, Ohio 43204

and

Franklin County, Ohio (“the Premises”) on which are constructed single family homes and an apartment complex at 409 Ryan Avenue.

4. Respondent-Defendant Benjamin Burden is the record owner of 58 North Wayne Avenue by virtue of a Quitclaim Deed, recorded with the Franklin County Recorder’s Office, Franklin County Instrument No. 201211160175251.
5. Respondent-Defendant Benjamin Burden is the record owner of 385 South Wheatland Avenue by virtue of a General Warranty Deed, recorded with the Franklin County Recorder’s Office, Franklin County Instrument No. 201701110005861.
6. Respondent-Defendant Benjamin Burden is the record owner of 137 South Wheatland Avenue by virtue of a Warranty Deed, recorded with the Franklin County Recorder’s Office, Franklin County Instrument No. 201105270067723.
7. Respondent-Defendant Benjamin Burden is the record owner of 183 South Burgess Avenue by virtue of a Special/Limited Warranty Deed, recorded with the Franklin County Recorder’s Office, Franklin County Instrument No. 201110110129029.
8. Respondent-Defendant Benjamin Burden is the record owner of 230 North Wayne Avenue by virtue of a Quitclaim Deed, recorded with the Franklin County Recorder’s Office, Franklin County Instrument No. 201305210084241.
9. Respondent-Defendant Benjamin Burden is the record owner of 409 Ryan Avenue by virtue of a Warranty Deed, recorded with the Franklin County Recorder’s Office, Franklin County Instrument No. 201004260049745.
10. Respondents-Defendants Unknown Tenants have occupied the Premises and/or exerted charge, care and control over it.

11. Cheryl Brooks Sullivan is the duly appointed, sworn, and serving Treasurer of Franklin County, Ohio, and may claim an interest in the property for unpaid taxes.
12. The court has personal jurisdiction over the individual respondents pursuant to R.C. § 2307.382(A)(8) since the basis of this complaint is real property located in Franklin County, Ohio.
13. This action is *in rem* with respect to the Premises and this Court is a proper venue pursuant to Civ.R. 3(B)(5) since the subject of the action is real property situated in Franklin County, Ohio.

Criminal Activity-409 Ryan Avenue

1. The Premises at 409 Ryan Avenue is an eight unit apartment complex in the Hilltop neighborhood just off Sullivant Avenue and is nearby an addiction recovery housing complex.
2. On February 14, 2018, CPD SWAT responded to the Premises at 409 Ryan Avenue, apartment D, after receiving a tip that wanted person, William Carl Camper, was at the residence the day prior. Both the neighbor and landlord of the residence stated that Mr. Camper was at the Premises the day prior. Mr. Camper had two active warrants for felonious assault. SWAT officers knocked on the door which was answered by an individual who slammed the door shut upon seeing SWAT officers. Officers then secured the perimeter of the Premises and requested a warrant which was signed by a judge of the Franklin County Municipal Court to make entry into the residence.
3. On March 17, 2018, CPD responded to the Premises at 409 Ryan Avenue on report of a disturbance.

4. On March 25, 2018, CPD responded to the Premises at 409 Ryan Avenue on report of a disturbance.
5. On April 6, 2018, CPD responded to the Premises on report of a male in crisis. Officers arrived and the male stated that he had just used heroin and was in need of help. The individual was transported to Mount Carmel West.
6. On April 10, 2018, CPD responded to the Premises at 409 Ryan Avenue on report of a disturbance.
7. On April 10, 2018, CPD responded to the Premises at 409 Ryan Avenue upon request of the Reynoldsburg Police Department in search of a stolen vehicle. Reynoldsburg Police Department reported a vehicle had been involved in a hit-skip in the Reynoldsburg jurisdiction and that it might be found at the Premises. Officers located the vehicle in the rear of 409 Ryan Avenue and observed front end damage consistent with the accident description. The driver was located at the Premises in Apartment A and she handled the situation with Reynoldsburg Police but was also found to have an active warrant for which she was arrested.
8. On April 12, 2018, CPD responded to the Premises at 409 Ryan Avenue on report of a disturbance.
9. On April 13, 2018, CPD and CFD responded to the Premises at 409 Ryan Avenue on report of an accidental overdose. The victim was transported to Mt. Carmel West in stable condition
10. On May 13, 2018, CPD and CFD responded to the Premises at 409 Ryan Avenue on an apparent accidental overdose.

11. On May 16, 2018, CPD responded to the Premises on a well-being check for a male that may be suicidal and had active warrants.
12. On May 19, 2018, CPD responded to the Premises on report of a suspicious person.
13. On June 9, 2018, CPD responded to the Premises on a male down and out in the grass not responding.
14. On July 14, 2018, CPD responded to the Premises on report of an apparent suicide attempt.
15. On August 20, 2018, CPD responded to the Premises on report of an accidental overdose.
16. On November 4, 2018, CPD responded to the Premises on report of a person with a knife. The caller stated their cousin has a knife and is threatening people.
17. On November 26, 2018, CPD responded to the Premises at 409 Ryan Avenue on report of a stolen television and stereo.
18. On December 12, 2018, CPD responded to the Premises on report of a stolen vehicle.
19. On April 27, 2019, CPD responded to the Premises on report of a suspicious person.
20. On May 6, 2019, CPD INTAC detectives George and Weiner conducted a covert purchase of heroin at the Premises at 409 Ryan Avenue, Apartment F from an individual who went by the name "Rodney".
21. On May 17, 2019, CPD responded to the Premises in apartment G on report of a male overdosing. The male later admitted that he had snorted what he believes was either cocaine or heroin. The victim stated that he had been given the narcotics by an individual that went by the name "Small Change".

22. On May 20, 2019, CPD INTAC detectives George and Weiner conducted a covert purchase of heroin at the Premises at 409 Ryan Avenue, Apartment F from an individual who went by the name "Rodney".
23. On May 21, 2019, CPD INTAC detectives Moore and Doherty conducted a covert purchase of heroin at the Premises at 409 Ryan Avenue, Apartment F from an unidentified female.
24. Again on May 21, 2019, CPD INTAC detectives Moore and Doherty attempted a covert purchase of heroin from the Premises at 409 Ryan Avenue. The confidential informant attempted to purchase from an individual named "Rodney" but the seller stated he was out and needed to "re-up".
25. On May 23, 2019, the CPD Safe Streets team was patrolling the area of 409 Ryan Avenue due to constant narcotics activity at the apartments. Officers observed a truck in the alley of the Premises and when they began to approach an individual in the truck quickly shoved something under the seat and exited the vehicle. Upon conducted a consensual search of the vehicle, officers located a glass pipe with chore boy that is typically used for smoking crack cocaine. The Defendant was released at the scene but currently has an active warrant for failure to appear at hearings.
26. On May 28, 2019, CPD INTAC detectives George and Weiner conducted a covert purchase of heroin at the Premises at 409 Ryan Avenue, Apartment F from an individual who went by the name "Rodney".
27. On June 5, 2019, CPD and CFD responded to the Premises on report of a female down and out that looked blue. The individual was transported to Mount Carmel West in stable condition.

28. On June 26, 2019, the CPD Safe Streets team was patrolling the area of 409 Ryan Avenue due to numerous complaints of narcotics activity and prostitution coming from the Premises. Officers observed a blue pickup truck stopped in front of 409 Ryan Avenue not moving with the flow of traffic and observed a known prostitute enter the vehicle after being motioned to by the driver. Officers stopped the vehicle for a traffic violation and found the driver to be operating without a valid license.
29. On July 5, 2019, CPD Safe Street were flagged down by Respondent-Defendant Benjamin Burden at the Premises. Mr. Burden stated that there were individuals inside apartment B who did not have permission to be inside the property. Mr. Burden requested assistance to remove the unauthorized occupants. Benjamin Burden told officers that he had allowed Kevin Hudson to stay at the apartment but that he had not yet written up a legal lease agreement. Mr. Burden stated that Mr. Hudson was allowing several drug dealers to come into apartment B. Mr. Burden also stated that he had been continuously fighting with his tenants for allowing drug dealers to sell narcotics out of the apartments. Mr. Burden added that he had recently kicked out several drug dealers from Apartment G who he believed were now in Apartment B. Officer Groves went to the rear of the unit while other officers knocked and requested the occupants to come out. Officer Groves observed a male lift the back window and begin to crawl out. When Officer Groves gave the command to show his hands, the occupant crawled back inside and slammed the window shut. Eventually, Mr. Burden was able to open the door to Apartment B, which was being blocked from the inside. Inside the apartment, officers located eight individuals including Mr. Hudson. When officers made entry, they located a significant amount of drug paraphernalia, including needles and scales laying out in

the open. Officers also located multiple baggies of narcotics shoved in the toilet in an apparent attempt to flush them away, as well as a Springfield XD .40 caliber pistol which was determined to have been stolen out of West Virginia. In total, the heroin recovered at the scene weighed approximately fifteen (15) grams.

30. On July 6, 2019, CPD responded to the Premises on report of a female down and out on the sidewalk. The individual was transported to Mount Carmel West in stable condition.
31. On July 7, 2019, CPD responded to the Premises on report of a burglary in progress at the structure.
32. On July 24, 2019, CPD responded to the Premises at 409 Ryan Avenue on a report of threatening text messages from one tenant to another. The tenant indicated that the landlord told her to move out and she stated she would wait for him to serve her with eviction paperwork. The tenant later stated she received threatening text messages from another tenant in the complex that stated she needed to move out or she “wouldn’t like what would happen” and that he didn’t want to see her “get hurt.”
33. On July 24, 2019, CPD received a complaint from a tenant that the landlord or maintenance man had turned off his water and told him to leave and get out. The individual had been texting the tenant stating he is not nervous about what’s going to happen.
34. On July 25, 2019, CPD received two more reports from the tenant that the landlord was threatening her.

35. On July 31, 2019, CPD responded to the Premises on report of a telephone harassment where the maintenance man was sending threatening text messages although this alleged victim was not a tenant.
36. On August 1, 2019, CPD responded to the Premises on report of a suspicious person. Officers knocked on apartment D looking for the property manager. A female answered the door who was familiar to officers as a known prostitute in the area. Officers asked if the female lived at the apartment and she stated she did not. When it became unclear who lived in the unit, officers asked that all occupants exit the residence but none of them stated they lived in the apartment or knew the tenant. The owner was called out to the scene and stated the unit was supposed to be vacant. Officers entered the apartment and found one loaded black Ruger LCP 380 sitting in plain view on the night stand and one loaded M & P Shield 9 millimeter in addition to several grams of crack cocaine and drug paraphernalia.
37. On August 2, 2019, CPD responded to the Premises on report of a person with a gun. The caller indicated that the maintenance man had just walked by the caller's window and had cocked a shotgun. The caller stated that the maintenance man had stated "stuff was going to go down tonight".
38. On September 3, 2019, Detective George sent Respondent-Defendant Benjamin Burden a warning letter via certified mail informing him of the nuisance activity taking place at the Premises and his duty to abate the conditions. The letter was sent via certified mail and was signed for on or about October 11, 2019.
39. On September 10, 2019, CPD responded to the Premises at 409 Ryan Avenue on report of an accidental overdose.

40. On September 30, 2019, CPD responded to the Premises on report of a disturbance.
41. On October 3, 2019, CPD responded to the Premises on report of two females were fighting and a male came out with a knife.
42. On November 10, 2019, Officer Huffman was approached at 19 precinct by a citizen who wished to remain anonymous. The citizen stated that there was a drug dealer in apartment D that went by the name "Bird". A couple allegedly owed Bird money for a drug debt and had assaulted and forced the couple into his apartment. Officers went to 409 Ryan Avenue, apartment D and observed multiple cameras facing the door for apartment D. Officers observed a female knocking on the door and when asked, stated she was there to see her friend Bird. A male, later identified as Christopher Williams, answered the door and stated he had seen the couple earlier but they were not there now. Williams showed officers where the couple sleeps when they sleep outside and seemed relaxed with officers. Officers did not see other individuals in the apartment and concluded their investigation.
43. On November 12, 2019, CPD responded to the Premises at 409 Ryan Avenue on report of a fight. The caller stated that someone is beating a woman to death.
44. On November 17, 2019, CPD responded to the Premises at apartment F on report of a neighbor dispute. The caller stated that a female was outside with a gun threatening to shoot the caller's girlfriend. The caller stated he believed the suspect was intoxicated and suffering from mental disorders. Officers made contact with the suspect and located an unloaded black Glock model 19 which later found to be reported stolen eleven days earlier. The suspect was determined to be under a firearm disability and had active warrants.

45. On November 24, 2019, CPD responded to the Premises on report of a burglary in progress.

46. On February 12, 2020, CPD responded to the Premises on report of a suspicious person.

Criminal Activity-58 North Wayne Avenue

47. The Premises at 58 North Wayne Avenue is a single family home on the west side of the City of Columbus in the Hilltop neighborhood.

48. Columbus Police and Columbus Fire have responded to the Premises over thirty times since January 10, 2018.

49. On July 22, 2019, the Columbus Division of Police (“CPD”) dispatched Officers to the Premises at 58 North Wayne Avenue on a follow up investigation.

50. On August 11, 2019, CPD responded to the Premises on report of a burglary.

51. On January 22, 2020, officers were dispatched to the Premises on report of a cutting or stabbing. When officers made entry to the Premises and discovered one individual with an active warrant.

52. On January 30, 2020, CPD officers responded to the Premises on a follow up investigation.

53. On February 11, 2020, CPD officers responded to the Premises on a report that an individual was being held hostage in this house by a drug dealer that went by the name “Streets”. The individual was reported to be using a gun and won’t let the victim go downstairs or leave.

Criminal Activity-385 South Wheatland Avenue

54. 385 South Wheatland Avenue, is a single family home on the west side of the City of Columbus in the Hilltop neighborhood.

55. On April 8, 2019, CPD officers were responding to a suspicious vehicle in the area and made contact with three individuals. Two of the individuals were entering the Premises at 385 South Wheatland while the third individual parked in the gravel easement of the property. Following an investigation, officers found the individual in the vehicle to be in possession of sixteen (16) grams of suspected black tar heroin, three bags of crack totaling over ten (10) grams, twenty-six (26) Xanax pills, a digital scale, a wad of cash, and a fully loaded SCCY CPX-2 handgun. Of the two individuals entering the Premises, one was found with more suspected black tar heroin and a syringe.
56. On April 25, 2019, CPD officers responded to the Premises at 385 South Wheatland Avenue out of a domestic violence incident.

Criminal Activity-230 North Wayne Avenue

57. 230 North Wayne Avenue is a single family home on the west side of the City of Columbus in the Hilltop neighborhood.
58. On May 4, 2018, CPD responded to the Premises at 230 North Wayne due to a fight involving a neighbor dispute.
59. On May 22, 2018, CPD officers responded to the Premises at 230 North Wayne Avenue on report of a burglary.
60. On July 27, 2018, CPD responded to the theft of tires and rims off of a vehicle parked in the rear of the Premises.
61. On March 6, 2019, CPD responded to the Premises due to a Shotspotter alert at the Premises. A spent shell casing was found in the rear of the residence. Officers attempted to make contact with the residents but were unsuccessful. Officers approached a vehicle

parked in front of the residence and discovered suspected narcotics and narcotics paraphernalia.

62. On April 16, 2019, CPD received a tip that the Premises was a drug house.
63. On April 17, 2019, CPD recovered a stolen vehicle at the Premises.
64. On May 3, 2019, CPD received a call regarding a fight at the Premises. The caller stated they could hear smacks and a male voice saying they will stab someone.
65. On February 6, 2020, CPD responded to the Premises after a female called stated that the occupants of the Premises would not let her leave.

Criminal Activity-183 South Burgess Avenue

66. 183 South Burgess Avenue is a single family home on the west side of the City of Columbus in the Hilltop neighborhood.
67. On April 21, 2018, CPD and CFD responded to the Premises on report of an accidental overdose. The victim was transported to Mount Carmel West in stable condition.
68. On October 9, 2018, CPD responded to the Premises at 183 South Burgess Avenue on report of individuals inside a vacant building. Officers determined that one of the individuals had an active warrant for a parole violation stemming from a robbery conviction, and another had an active failure to appear warrant for felony drug possession. It was later found that the individuals had the permission of the owner to be inside the property.
69. On May 9, 2018, CPD responded to the Premises at 183 South Burgess Avenue on report of a disturbance. The caller stated that the landlord was trying to kick him out.
70. Around August 8, 2019, Whitehall Police Detective Slosser received a tip from a confidential informant that they know of a drug-dealer named "Jim-Jim." This dealer is

known to Detective Slosser by the name Ernias Golla and it was believed he was selling narcotics out of the Premises at 183 South Burgess Avenue. Shortly after receiving the tip, Whitehall Police Detective coordinated a covert purchase of crack-cocaine from the Premises. The confidential informant stated that they observed at least one gun in plain view and additional narcotics.

71. On August 12, 2019, CPD and Whitehall Police Detectives executed a search warrant at the Premises and recovered the following property:
 - a. Three hundred and thirty-two (332) grams of methamphetamine;
 - b. Fifty-three (53) grams of fentanyl;
 - c. Nine and one-half (9.5) grams of heroin;
 - d. Six (6) grams of marijuana;
 - e. Three tenths (0.3) grams of crack;
 - f. Seven thousand five hundred and thirty-six dollars (\$7,536.00) cash;
 - g. One (1) Smith and Wesson Bodyguard SN pistol;
 - h. Five (5) cellphones;
 - i. Two (2) bank cards; and
 - j. Narcotics paraphernalia.
72. On or about August 16, 2019, Detectives sent Respondent-Defendant Benjamin Burden a warning letter via certified mail informing him of the nuisance activity taking place at the Premises and his duty to abate the conditions. The letter was sent via certified mail and was signed for on or about August 28, 2019.
73. On February 6, 2020, around 3:00PM CPD officers received a call regarding potential burglary in a vacant structure. When officers arrived, they located a Mr. Michael Mills

inside the Premises that provided documentation that he was allowed to be present and work on the property from 7:00AM to 7:00PM. Officers believed Mr. Mills was also residing in the vacant and placarded property but did not have definitive proof. Officer later revisited the property around 8:45PM and found Mr. Mills working in the property along with the property owner. Officers arrested Mr. Mills for re-occupancy and also learned that he had an active warrant for theft. As of the time of filing, Mr. Mills again has a warrant for his arrest for failure to appear on the theft and re-occupancy cases.

Criminal Acitivity-137 South Wheatland Avenue

74. 137 South Wheatland Avenue is a single family home on the west side of the City of Columbus in the Hilltop neighborhood.
75. On April 2, 2018, CPD responded to the Premises on report of a disturbance.
76. On August 3, 2018, CPD officers were dispatched to the Premises at 137 South Wheatland Avenue on the report of an individual being held in a cage with no clothing in the front room of the residence. The caller reported that two individuals were present inside the home and that one has an AR-15 and the other carries a Glock 40 with an extended magazine. The caller also stated that he had just purchased drugs from the Premises and still had the drugs in his possession. When officers arrived, a male approached the door with a black handgun tucked in his waist band. Officer Sanders then observed the male retrieve an AR-15 style assault rifle. When officers announced police, the resident ran to the back of the residence and returned without the weapons. Officer Sanders observed the same individual retrieve a brick like object wrapped in black plastic consistent with narcotics packaging and take it from the front room. The individual then returned and grabbed a large amount of money off the stove where the

narcotics were located. Officer Sanders then observed a female enter the room and place a pink pillow case on top of the stove. The female then began placing pre-packaged sandwich baggies containing white powder inside the pillowcase. Officer Sanders observed another female laying on a couch in the middle room who did not move despite loud verbal announcement over the public address system. Based on these observations, Officer Nance applied for and was granted a search warrant of the Premises. In executing the August 3, 2018, officers located the following:

- a. One (1) black magazine with live ammunition;
 - b. Twenty (20) live forty caliber rounds with a box;
 - c. Fourteen (14) live 9 millimeter rounds;
 - d. One thousand nine hundred and six dollars (\$1906.00) cash;
 - e. Four (4) bottles of lactose powder;
 - f. One (1) burnt metal crack pipe;
 - g. One (1) H&K VP9 handgun with an empty magazine;
 - h. One (1) Anderson AM-15 rifle;
 - i. Loaded needles; and
 - j. Baggies with residue.
77. On August 6, 2018, CPD received a narcotics complaint regarding the Premises and that there was a lot of activity going in and out.
78. On August 9, 2018, CPD received another narcotics complaint regarding the Premises.
79. On August 27, 2018, CPD INTAC conducted a covert purchase of crack cocaine at the Premises at 137 South Wheatland Avenue.

80. On August 28, 2018, CPD INTAC detectives applied for and were granted a search warrant for the Premises.
81. On August 29, 2018, CPD INTAC executed a search warrant at the Premises at 137 South Wheatland Avenue after complaints were received from patrol. Inside the 1,500 square foot residence, officers located ten individuals and more than seven (7) grams of crack cocaine. Two individuals were arrested and charged with Felony V drug possession.
82. On September 17, 2018, Detective Friend sent Respondent-Defendant Benjamin Burden a warning letter via certified mail informing him of the nuisance activity taking place at the Premises and his duty to abate the conditions. The letter was sent via certified mail and was signed for on or about September 27, 2018.
83. On or about January 14, 2019, the CPD INTAC, conducted a covert purchase of suspected heroin from the Premises at 137 South Wheatland Avenue.
84. On January 15, 2019, CPD INTAC detectives applied for and were granted a search warrant for the Premises at 137 South Wheatland Avenue.
85. On April 2, 2019, CPD responded to a suspicious person at the Premises.
86. On or about April 22, 2019, CPD INTAC conducted a covert purchase of suspected heroin from the Premises.
87. Also on April 22, 2019, CPD officers attempted to serve a felony warrant on an individual believed to be at the Premises. The individual was found and taken into custody without incident.
88. On or about May 6, 2019, CPD INTAC conducted a covert purchase of suspected crack cocaine from the Premises.

89. On or about May 13, 2019, CPD INTAC conducted a covert purchase of suspected heroin from the Premises.
90. On May 14, 2019, CPD INTAC detectives applied for and were granted a search warrant for the Premises.
91. On May 16, 2019, CPD responded to a complaint regarding loud noises at the Premises.
92. On May 17, 2019, CPD responded to a complaint regarding loud noises at the Premises.
93. On May 18, 2019, CPD responded to the Premises regarding a complaint of a suspicious person.
94. On May 19, 2019, CPD officers were patrolling the area in the rear of 137 South Wheatland Avenue and found a vehicle blocking the alley with no one around or inside the vehicle. Officers were in the process of writing a ticket when an individual came out and claimed it was his vehicle. The vehicle did not come back registered to the individual but it was determined that he had an active warrant for his arrest. The individual was taken into custody without incident.
95. On May 19, 2019, officers were in the rear of the Premises returning a document. Officers were approached by a female who asked what happened to her cousin. During the discussion, officers observed a hypodermic needles and a glass pipe sticking out of a pack of cigarettes the female was carrying. Officer began to place the female under arrest for drug paraphernalia possession, during which time the female threw a clear plastic bag on the ground. After being placed in the rear of the cruiser, the female repeated "That's not mine, that's not mine". Inside the plastic bag, Officers identified what appeared to be black tar heroin and crack. The female later admitted she had purchase the drugs from 137 South Wheatland Avenue.

96. Also on May 19, 2019, CPD officers located two stolen all-terrain vehicles on the property.
97. On May 29, 2019, CPD responded to the Premises on report of an assault.
98. On June 30, 2019, CPD responded to the Premises on report of a suspicious vehicle.
99. On September 12, 2019, CPD responded to the Premises on report of a stolen vehicle.
100. On September 19, 2019, CPD responded to the Premises on report that a robbery had just occurred.
101. On November 19, 2019, CPD received a complaint regarding loud noises at the Premises.
102. On December 22, 2019, CPD received a complaint regarding loud noises at the Premises.
103. On January 7, 2020, CPD received a complaint regarding loud noises at the Premises.

CLAIM FOR RELIEF

104. Plaintiff incorporates the preceding paragraphs 1 through 103 as if fully incorporated herein.
105. On March 9, 2020, the Governor of Ohio issued Executive Order 2020-01D and declared a state of emergency in Ohio in response to COVID-19.
106. On March 13, 2020, the Columbus Board of Health passed Resolution No. 20-08, a declaration of Public Health Emergency to include the cities of Columbus and Worthington, in response to the developing community health crisis surrounding COVID-19.
107. Relator-Plaintiff asks that any requested remedies available under R.C. 3767 or contained in the complaint, conform to Executive Order 2020-01D and Columbus

Board of Health Resolution No. 20-08 and take into account the COVID-19 global pandemic and the state of emergency in Ohio.

108. Relator-Plaintiff alleges that the all Premises are public nuisances as defined in § 3767.01 and/or R.C. § 3767.12 (*et seq.*), C.C.C. 4703.01(F), and under common law, subject to abatement under R.C. § 3767.
109. Relator-Plaintiff asserts that the all Premises herein are generally reputed to be kept, conducted, and maintained for the purposes of committing violations of Ohio Revised Code 2925 (Drug Offenses), and for the purposes of illegal activity.
110. Respondents-Defendants are guilty of maintaining a nuisance at each of the Premises, subject to abatement in accordance with R.C. 3767.01 (*et seq.*), for having a structure in violation of the laws pertaining to illegal drugs (including violations of R.C. Chapter 2925, R.C., R.C. 3719.10, etc.); such operations, and criminal activity at the premises, substantially interferes with the area's public decency, sobriety, peace, safety, welfare, and good order.
111. Respondents-Defendants own fixtures, furniture, and moveable property that have been used or are currently being used in conducting, maintaining, and facilitating said public nuisance.
112. Respondents-Defendants at all times relevant to this action maintained a public nuisance threatening the health, safety, and welfare of the People of the City of Columbus (and the health, safety, and welfare of those at 409 Ryan Avenue, 58 North Wayne Avenue, 385 South Wheatland Avenue, 230 North Wayne Avenue, 137 South Wheatland Avenue, and 183 South Burgess Avenue, and that of Columbus Police).

113. Respondents-Defendants are guilty of maintaining a nuisance at each of the Premises based on their actual and constructive knowledge of the nuisance, as well as the well-known general reputation of the premises, which is prima-facie evidence of the nuisance and of knowledge of and of acquiescence and/or participation in the nuisance.

JUDGMENT AND RELIEF DEMANDED

WHEREFORE, Relator demands judgment as follows:

1. Per R.C. § 3767 and Ohio Civ.R. 65(B)(1), that the court set a preliminary injunction hearing on the matter.
2. That all of the Premises be declared a public nuisance as defined in Ohio Revised Code § 3767.01 and/or R.C. § 3767.12 (*et seq.*), C.C.C. 4703.01(F), and under common law, as alleged herein.
3. That all Respondents-Defendants be found to have been guilty of maintaining a public nuisance as defined in R.C. § 3767.01 and/or R.C. § 3767.12 (*et seq.*), C.C.C. 4703.01(F), and under common law, as alleged herein.
4. In accordance with this Complaint and Revised Code Chapter 3767, that all Respondents-Defendants, and any heirs, successors in interest or title, transferees and/or assigns be permanently enjoined from conducting, maintaining, using, occupying, or in any way permitting the use of any of the premises as a public nuisance.
5. In accordance with this Complaint and Revised Code Chapter 3767, that all Respondents-Defendants be permanently enjoined from conducting, maintaining, using, occupying, or in any way permitting the use of a public nuisance anywhere in Franklin County, Ohio and/or Columbus, Ohio.

6. On final judgment, the Chief of Police of Columbus, Ohio, be ordered to sell the furniture, fixtures, and moveable property identified herein in the manner provided for the sale of chattels under execution, and effectually close the entire premises against its use for a one year period per Civ.R. 65 and R.C. Chapter 3767 *et seq.*
7. To tax Respondents-Defendants \$300 in accordance with Revised Code § 3767.08, plus the costs of this action.
8. This Court appoint a receiver if needed pursuant to Chapter 2735 of the Ohio Revised Code.
9. An award of Plaintiff's cost and attorneys' fees payable by Defendant(s).
10. Relator-Plaintiff further requests that this Court grant Plaintiff the following relief as permitted by law:
 - (a) interest on all sums to which Relator-Plaintiff may be entitled;
 - (b) attorneys' fees and costs and expenses of this action; and
 - (c) all such further equitable and other relief this Court determines Relator-Plaintiff to be entitled.

Respectfully submitted,

City of Columbus, Department of Law
Zach Klein, City Attorney

/s/ Zach Gwin

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Counsel for the Relator-Plaintiff