

**SUMMONS AND COMPLAINT
PROSECUTING AUTHORITY**

JD-CR-8 Rev. 2-16
P.B. §§ 36-7, 36-8, 36-9

**STATE OF CONNECTICUT
SUPERIOR COURT**

www.jud.ct.gov

Docket number
XNH-CR17-5854

(Name, address, and zip code of accused)

To: DANIEL GREER
133 WEST PARK AVE
NEW HAVEN, CT 06511

Instructions

To Preparer:

1. Use only for misdemeanors.
2. Prepare in triplicate; retain a copy.
3. Appearance Date must be within 14 days of the date of summons.
4. Fill in Court Appearance Time.

To Officer making service:

After serving a copy on the accused in accordance with P.B. § 36-9, deliver the original to the clerk with the return of service completed.

To Clerk:

1. Check return of service; assign docket number.
2. Assign for hearing on date specified.

Notice To Accused Named Above

- Fold
1. This paper summons you to come to and appear in court.
 2. If you do not come to and appear at the time and place listed below, an application will be made for a warrant for your arrest.
 3. You have the right to be represented by an attorney who should come to and appear with you in court on the Court Appearance Date listed below.
 4. If you are charged with an offense punishable by imprisonment, and you cannot afford an attorney, you may be entitled to the services of a Public Defender, and you should contact the Public Defender's Office immediately.
 5. If you are under the age of eighteen (18) you must come to and appear in court with your parent or guardian.

Summons

You are hereby summoned to appear before the Superior Court at:

Address of court (Number, street, and town) 12 ELM STREET NEW HAVEN 3RD FL	Judicial District, Geographic Area, or Housing HOUSING	Court hearing date and time 1-16-18 10 <u>A.M.</u>
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Then and there to answer to the following complaint against you:

3-6-18

Complaint

The prosecuting authority signing below complains and alleges to the court named above that on or about

Date of offense 11-30-17	At (Town) NEW HAVEN (155-157 MAPLE ST 3RD FL)
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the accused named above committed the following misdemeanor(s):

Misdemeanor(s)	In Violation of (Statute or ordinance)
1 CT HEALTH	19A-230

Dated at (Town) NEW HAVEN	On (Date) 12/26/17	Signed (Deputy Assistant State's Attorney) P. Falombo
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ADA NOTICE

The Judicial Branch of the State of Connecticut complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation in accordance with the ADA, contact a court clerk or an ADA contact person listed at www.jud.ct.gov/ADA.

For Court Use

To Preparer: Complete the following if this information can be obtained:	Date of birth of accused	Phone number of accused	Police department where case originated	Police case number
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Return of Service

I hereby certify that I served the foregoing summons and complaint by: ("X" one)

- Delivering a copy personally to the accused named above.
- Leaving a copy at the usual place of abode of the accused named above with a person of suitable age and discretion residing therein.

Name of person copy left with	Date of birth
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Mailing a copy, certified mail, to the accused named above at his or her last known address. ("X" one)

- Return receipt attached. Returned undelivered.

Date of service 12/26/17	Signed (Server) S. Murawski	Title of server
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ARREST WARRANT APPLICATION

JD-CR-64b Rev. 4-08
C.G.S. § 54-2a
Pr. Bk. Sec. 36-1, 36-2, 36-3

**STATE OF CONNECTICUT
SUPERIOR COURT**
www.jud.ct.gov

FOR COURT USE ONLY	
SUPPORTING AFFIDAVITS SEALED	
<input type="checkbox"/> YES	<input type="checkbox"/> NO

AGENCY NAME		AGENCY NO.
NAME AND RESIDENCE (Town) OF ACCUSED Mr. Daniel Greer, 133 West Park Avenue, New Haven, CT 06511		COURT TO BE HELD AT (Town) New Haven
		G.A. NO.

APPLICATION FOR ARREST WARRANT

TO: A Judge of the Superior Court

The undersigned hereby applies for a warrant for the arrest of the above-named accused on the basis of the facts set forth in the: AFFIDAVIT BELOW. AFFIDAVIT(S) ATTACHED.

DATE AND SIGNATURE	DATE 12/21/17	SIGNED (Prosecuting Authority) <i>[Signature]</i>	TYPE/PRINT NAME OF PROSECUTING AUTHORITY P. Salambo
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AFFIDAVIT

The undersigned affiant, being duly sworn, deposes and says:

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- I, the undersigned, Andrew Carnevale, am a Lead Poisoning Inspector with the City of New Haven Health Department and have been for a period of one (1) year and eight (8) months.
- The facts and circumstances reported in this affidavit are the result of personal knowledge and observations of this affiant.
- On November 30, 2016, I inspected the premises identified as 155-157 Maple Street-3F Unit, New Haven, CT. During said inspection, I found at least one (1) of the residents was below the age of six (6) years of age and that the premises were found to have lead-based paint and chipped and flaking paint and is in violation of chapter 55, Article III, of the New Haven Code of Ordinances, Section 55-63, Maintenance; Section 55-64, Hazardous Conditions, Subsections a,b, and c.
- That said child is the same child that initiated the lead poisoning investigation. The child's initial and most current blood lead level was 5 micrograms per deciliter of blood, which was drawn on October 18, 2016. A copy is attached hereto and incorporated within.

(This is page 1 of a 3 page Affidavit.)

DATE AND SIGNATURE	DATE 12-1-17	SIGNED (Affiant) <i>[Signature]</i>
JURAT	SUBSCRIBED AND SWORN TO BEFORE ME ON (Date) December 1, 2017	SIGNED (Judge / Clerk, Comm. Sup. Ct., Notary Public) <i>[Signature]</i> My Commission Expires May 31, 2020

FINDING

The foregoing Application for an arrest warrant, and affidavit(s) attached to said Application, having been submitted to and considered by the undersigned, the undersigned finds from said affidavit(s) that there is probable cause to believe that an offense has been committed and that the accused committed it and, therefore, that probable cause exists for the issuance of a warrant for the arrest of the above-named accused.

DATE AND SIGNATURE	SIGNED AT (City or Town)	ON (Date)	SIGNED (Judge / Judge Trial Referee)	NAME OF JUDGE/JUDGE TRIAL REFEREE
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ARREST WARRANT APPLICATION

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NAME AND RESIDENCE (Town) OF ACCUSED Mr. Daniel Greer, 133 West Park Avenue, New Haven, CT 06511	COURT TO BE HELD AT (Town) New Haven	G.A. NO.
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AFFIDAVIT - CONTINUED

Page 2 of 3

- 5) That the property is owned by Edgewood Village, Inc. The Secretary of State-Concord Listing, provides the principal of Edgewood Village, Inc as Daniel Greer. The information was obtained by title search, a copy of which is attached hereto and incorporated herein.
- 6) On December 2, 2016, a lead paint order letter was sent Certified Mail (7016 0910 0000 0887 7084) to Mr. Daniel Greer, P.O. Box 3389, New Haven, CT. The letter paint order was returned to sender. (a copy is attached hereto and incorporated within).
- 7) On December 27, 2017, I emailed Abby Rohd, Secretary of Edgewood Village, Inc. the lead paint order for 157 Maple Street, New Haven, CT. Abby confirms email was received.
- 8) On January 1, 2017, I called Jean Ledbury of Edgewood Village, Inc, No one answered the phone. I left a voicemail message, call is never returned.
- 9) On February 23, 2017, I spoke with Jean Ledbury, secretary of Edgewood Village, Inc about the order letter for 157 Maple Street, New Haven, CT. Edgewood Village, Inc is trying to evict the tenant before work is started.
- 10) On February 24, 2017, a lead paint order letter was sent Certified Mail (7008 2810 0000 4629 5778) to Mr. Daniel Greer, 133 West Park Avenue, New Haven, CT. The letter paint order was returned to sender. (a copy is attached hereto and incorporated within).
- 11) On April, 25, 2017, I called Jean Ledbury, the abatement has not been started yet. The Owner is trying to evict the tenant in the third floor unit.
- 12) On May 12, 2017, I called Jean Ledbury. No one answered, I left a message. The call is never returned.
- 13) On May 19, 2017, I spoke with Jean Ledbury of Edgewood Village, Inc. Jean Ledbury says the tenant is still not cooperating with the owner. No abatement has been started yet.
- 14) On June 19, 2017, a Lead Order Letter was sent to Mr. Daniel Greer, 133 West Park Avenue, New Haven, CT via State Marshal Delivery. (a copy is attached hereto and incorporated within).

(This is page 2 of a 3 page Affidavit.)

DATE AND SIGNATURE	DATE <i>12-1-17</i>	SIGNED (Affiant) <i>[Signature]</i>
JURAT	SUBSCRIBED AND SWORN TO BEFORE ME ON (Date) <i>December 1, 2017</i>	SIGNED (Judge / Clerk, Comm. Sup. Ct., Notary Public) <i>[Signature]</i> My Commission Expires May 31, 2020
REVIEWED (Prosecutorial Official) <i>[Signature]</i>	DATE <i>12/21/17</i>	REVIEWED (Judge / Judge Trial Referee) DATE

ARREST WARRANT APPLICATION

JD-CR-64b Rev. 4-08
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AFFIDAVIT - CONTINUED

Page 2 of 3

15) On July 5, 2017, I received a letter from Mr. Daniel Greer stating his intention to appeal the lead order. (a copy is attached hereto and incorporated within).

16) On July 27, 2017, I received notice of appeal hearing for 155-157 Maple Street, scheduled for August 22, 2017 at Department of Public Health hearing office. (a copy is attached hereto and incorporated within).

17) On July 26, 2017, I spoke with Hugh Gallman, the tenant of the third floor unit. The child no longer is in residence at 157 Maple Street, New Haven, CT.

18) On October 23, 2017, Edgewood Village, Inc. drops off HUD application for lead abatement funds to the New Haven Health Department at 54 Meadow St, New Haven, CT.

19) On November 30, 2017, I conducted a re-inspection of 155-157 Maple Street, New Haven, CT. During said re-inspection, it was determined that the cited violations were still present, and no apparent corrective action have been taken.

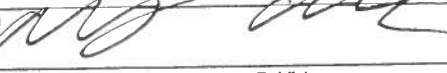
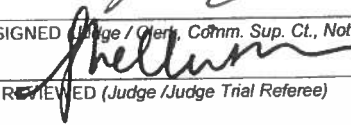

20) Edgewood Village, Inc. has failed to file/submit a lead abatement plan within (5) five days of the receipt of the order letter as required by Connecticut General Statute 19a-111-1.

21) Edgewood Village, Inc. has withdrawn their appeal for the lead order for 155-157 Maple Street, New Haven, CT. (a copy is attached hereto and incorporated within).

22) That said violations identified as areas covered with paint containing more than 0.50 percent lead (Pb) by dry weight as measured by atomic absorption spectrophotometry or lead (Pb) at or above 1.0 milligrams per square centimeter of surface, including the dry paint film, as measured by x-ray fluorescence spectrum analyzer and are as follows: (a copy is thereof is attached and hereto and incorporated within).

23) Wherefore, I believe probable cause exists that a warrant be issued Mr. Daniel Greer, the President/Treasurer/Director of Edgewood Village, Inc. of the premises known as 155-157 Maple Street, New Haven, CT, in violation of Connecticut General Statute 19a230 and Chapter 6, Article IV, Sections 16-50, 16-51, and 16-52 of the New Haven Code of Ordinances. (A copy of the Order Letter is attached hereto and incorporated within).

(This is page 3 of a 3 page Affidavit.)

DATE AND SIGNATURE	DATE 12-1-17	SIGNED (Affiant) 
JURAT	SUBSCRIBED AND SWORN TO BEFORE ME ON (Date) December 1, 2017	SIGNED (Judge / Clerk, Comm. Sup. Ct., Notary Public)  My Commission Expires May 31, 2020
REVIEWED (Prosecutorial Official) 	DATE 12/21/17	REVIEWED (Judge / Judge Trial Referee) DATE