

**WEST ALLIS COMMON COUNCIL
LICENSE AND HEALTH COMMITTEE
CITY OF WEST ALLIS**

**In the Matter of the
Complaint Against**

COMPLAINT

**D&G Investments, LLC,
d/b/a Mobile Estates of West Allis
c/o Thaddeus Derynda and Bernie Gallas, agents**

**STATE OF WISCONSIN)
) ss.
COUNTY OF MILWAUKEE)**

Theodore Atkinson, being duly sworn, on oath deposes and states as a complaint against D&G Investments, LLC, (hereinafter "D&G"), d/b/a Mobile Estates of West Allis, c/o Thaddeus Derynda and Bernie Gallas, agents, as follows:

1. That the complainant is a resident of the City of West Allis, is the director of the City of West Allis Building Inspection and Neighborhood Services Department, and makes this complaint at the direction of the License and Health Committee of the West Allis Common Council.
2. That the information contained in this complaint comes from the complainant's review of official records maintained by the City of West Allis, which records complainant believes to be reliable and accurate.
3. That D&G is the holder of a Mobile Home Park License, License Number 290, to operate a mobile home park under West Allis Revised Municipal Code Section 9.21(2)(b), issued by the West Allis Common Council on June 19, 2012.
4. That D&G does business under the trade name "Mobile Estates of West Allis."
5. That the agents for D&G are Thaddeus Derynda and Bernie Gallas.
6. That on August 5, 2009, Plumbing Inspector Michael Scherer inspected the property

at 10401 West Greenfield Avenue and observed several violations of the state and local plumbing codes.

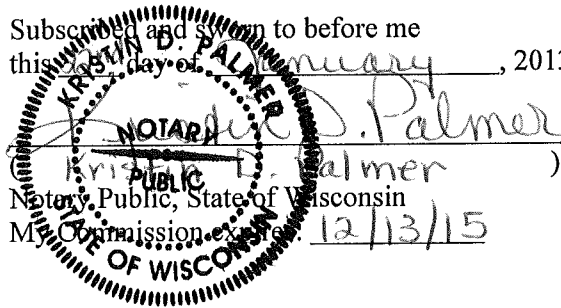
7. That on August 21, 2009, Inspector Scherer issued a notice and order to D&G to correct the violations. (See attached Exhibit 1.)
8. That subsequent inspections from Atkinson and Plumbing Inspector Michael Romens revealed that D&G has not corrected the following state Safety and Professional Services (hereinafter "SPS") code violations: 382.30 (10)(a)(1), 382.30 (10)(b)(2)(a), 382.30 (10)(b)(2)(b), 382.30 (10)(b)(2)(c), 382.30 (10)(b)(2)(d), 382.30 (10)(b)(3), 382.30 (10)(b)(4)(b), 382.30 (10)(b)(4)(c). (See attached Exhibit 2.)
9. That D&G has not been fully compliant with the SPS code since prior to Inspector Scherer's inspection on August 5, 2009.
10. That D&G's failure to corrects its code violations substantially relates to the licensed activity contrary to West Allis Revised Municipal Code Section 9.21(2)(f) and is grounds for non-renewal, suspension, or revocation of its Mobile Home Park License.

WHEREFORE, Theodore Atkinson requests that D&G, d/b/a Mobile Estates of West Allis, c/o agents Thaddeus Derynda and Bernie Gallas be summoned to appear before the License and Health Committee of the West Allis Common Council to answer this complaint and, if the material allegations of the complaint are denied, that a hearing be held to determine whether the Mobile Home Park license of D&G Investments, LLC should be revoked, suspended, or not renewed.

Dated at this 22nd day of January 2013.

By: Theodore B. Atkinson
Theodore Atkinson
Director of Building Inspection and
Neighborhood Services

Subscribed and sworn to before me
this 22nd day of January, 2013.



TO: SLH Services
 FROM: Jenna R. Merten, Assistant City Attorney, City of West Allis
 RE: Service of License & Health Committee Summon and Complaint
 DATE: January 23, 2013

Attached please find authenticated copies of License and Health Committee Summons and Complaints for the cases listed below. Please serve one authenticated copy of each Summons and Complaint on or **before February 9, 2013**, to each defendant at the addresses listed below.

If you have any questions please call me at 302-8445 or Assistant City Attorney Jenna Merten at 302-8453.

Please return the completed Affidavits of Service with the second authenticated copy of each Summons and Complaint to this office along with your fee for service no later than **February 13, 2013**. Thank you very much for your assistance.

Defendant	Address	Address
D&G Investments, LLC d/b/a Mobile Estates of West Allis Thaddeus Derynda & Bernie Gallas, Licensees MUST SERVE BOTH DERYNDA & GALLAS	Licensee, Thaddeus Derynda <i>(home?)</i> N23 W28360 Beach Park Circle Pewaukee, WI	Licensee, Bernie Gallas <i>(home?)</i> 5200 Diversey Blvd #204 Whitefish Bay, WI <i>(mobile home park office?)</i> 10401 W. Greenfield Avenue West Allis, WI