

MOST FREQUENTLY ASKED QUESTIONS:

Can I pay fines and/or hearing costs with cash, debit or credit card? Personal checks, money orders, cashiers checks, debit cards and credit cards (MasterCard and Visa) are accepted but not cash.

When can I pay the fine and/or hearing costs? Fines must be paid within the period ordered by the Hearing Officer including the day of the hearing. Failure to timely pay shall result in the Order being filed as a lien.

Why was the Order filed as a lien? After a hearing is held and an Order rendered, if a property owner does not comply with the Order including timely payment of fines and/or hearing costs and/or timely remediation of the violation(s), the Order of the BAA is filed in the Jefferson Parish Mortgage and Conveyance Office (JPMCO) in the mortgage records. The filing of the Order becomes a lien against the property found to be in violation. Upon payment of all hearing costs and fines, and remediation of all violations, the owner can request a release of the lien in writing from BAA to be filed by the owner in the JPMCO to release the lien. The cost to file the release is at the expense of the property owner with said fee determined by the Jefferson Parish Clerk of Court.

How do I obtain a pay-off or release? Submit a written request to the Parish Attorney's Office which includes the case number and violation address or a copy of the order. A pay-off request can be made and processed at any time after an Order is rendered. However, a release can not be processed until all hearing costs and/or fines are paid in full and the violations remediated and cleared by an inspector from the Department that issued the violation(s).

Are hearings open to the public? Yes. However, disruptive behavior is not tolerated and a person could be removed from the hearing.

Do I need to be present at a hearing? Yes unless prior arrangements were made.

What if I fail to attend my hearing? If the owner or a representative fail to appear at a hearing, the hearing may proceed in his/her/their absence as long as notice was proper.

When will a decision be issued? Decisions are usually issued at the end of the hearing. However, matters are sometimes taken under advisement and issued at a later time. All decisions are reduced to writing and mailed after the hearing has concluded and an order rendered.

What is the appeal process? If you would like to appeal the decision of the Hearing Officer you must file a petition for appeal in the 24th JDC within thirty (30) days of the signing of the Order by the Hearing Officer. Sec. 2.5-10 of the JPCO provides further details. Contact an attorney if you have any questions or need assistance with the filing or appeal procedure.

Where can I get a copy of the Jefferson Parish Ordinances? Ordinances can be obtained or reviewed at the Eastbank and Westbank Regional Libraries, on the parish website at www.jeffparish.net or at www.municode.com.

What information or documents can BAA provide? The BAA can assist with Motions to Continue, pay-off and release requests and general information. However, BAA can not advise a Defendant on how to clear a violation, provide an extension of time to remediate a violation or provide legal advice including interpretation of law and/or ordinances. Any documents requested must be requested via a formal public records request.

Contact Information Most Often Requested

<u>Department of Inspection and Code Enforcement</u>		
	<u>Westbank</u>	<u>Eastbank</u>
Building Section	364-3500	736-6964
Permitting	364-3512	736-6957
Property Maintenance/Zoning	364-3505	736-6961
Dangerous Buildings		364-3560
Weed Control/Removal of Grass/Junk/Vehicles		364-3549
<u>Environmental Affairs</u>		736-6440
<u>Animal Shelter</u>		
Westbank		349-5111
Eastbank		736-6111

Parish Attorney's Office

Westbank Office

Telephone—364-3822 Facsimile—364-2673

Eastbank Office

Telephone—736-6300 Facsimile—736-6307



ACCESSIBILITY NOTICE

If auxiliary aids or devices, alternate formatting and/or reasonable modifications are necessary, please submit a request at least seventy-two hours (72) hours in advance.

THIS BROCHURE IS SUBJECT TO CHANGE WITHOUT NOTICE.

Revised: July 2012

**STATE OF LOUISIANA
JEFFERSON PARISH**



**BUREAU OF ADMINISTRATIVE
ADJUDICATION**

Westbank Office

200 Derbigny Street
General Gov't Bldg. - Ste. 3200-A
Gretna, LA 70053
Telephone: (504) 365-3393
Facsimile: (504) 365-3397

Eastbank Office

1221 Elmwood Park Blvd.
Yenni Bldg.- Ste. 606
Jefferson, LA 70123
Telephone: (504) 736-6427
Facsimile: (504) 731-4425

www.jeffparish.net

INTRODUCTION

This pamphlet is designed for informational purposes. This pamphlet is not a substitute for having an attorney or the advice of an attorney. It is simply a guide. Every case that comes before the Bureau of Administrative Adjudication (BAA) is determined based on the law and the facts involved in the case in a fair and impartial manner.

The BAA was created in 1994 to handle the numerous cases pertaining to health, housing, environmental, fire code and historic district violations. Said violations are issued primarily by the Jefferson Parish Department of Inspection and Code Enforcement (DICE). The BAA was created pursuant to state legislation, particularly, LSA-R.S. Art. 13:2575 et seq., the Jefferson Parish Home Rule Charter and subsequent parish authorization pursuant to Section 2.5 et seq. of the Jefferson Parish Code of Ordinances (JPCO).

A hearing before the BAA is a civil proceeding. Penalties for being found guilty of a violation of the JPCO may include hearing costs, fines, contractor remediation, and/or other penalties, including repeat offender fines, as provided in the JPCO excluding incarceration.

Under the administrative hearing system, a Hearing Officer, not the Department that issued the violation, adjudicates cases. The jurisdiction of the BAA is set forth in JPCO Sec. 2.5-4.

PROCEDURES

The JPCO provides various procedures relative to bringing a case before the BAA. However, the most frequent procedure used

is subject to JPCO Sec. 2.5-7.

Pursuant to Sec. 2.5-7, a parish department inspects property and/or responds to a complaint or issue relative to the JPCO and upon finding a violation posts the property with a violation notice and mails a copy of the violation via US Mail to the owner. At a minimum, violation notices are sent to the property address in violation or in which a violation may have occurred and to the property owners' mailing address as provided in the Parish Assessor's records. If the violation is not cleared by the compliance date noted in the violation and/or no extension period was requested and/or granted, the matter will be set for hearing. If on the second inspection or inspection after notice is provided the violation is cleared, no further action will be taken.

If a hearing is scheduled, said notice of hearing shall be provided via certified mail. A copy of the Order rendered at hearing shall also be provided via certified mail.

No person is allowed to talk to the Hearing Officer about a case without the participation of all parties involved. If you have questions, you may contact the Department that issued the violation or the Parish Attorney's Office. Contact with the department and/or attorney handling the matter prior to the hearing is encouraged.

State statutes and the JPCO regulate the procedures used by the BAA. For example, hearings are conducted in accordance with the rules of evidence set forth by the Administrative Procedure Act (LSA-R.S. Art. 49:950 et seq.)

Pre-trial conferences and/or continuances are only granted for good cause and must

be submitted in writing to the BAA *and* all parties a minimum of twenty-four (24) hours prior to a scheduled hearing.

On the day of hearing, the parish presents its case which may include testimony from witnesses and/or various exhibits. The property owner then has the opportunity to ask questions, make statements and submit any exhibits he/she may have to support his/her case.

If an owner fails to attend a hearing or otherwise have an authorized representative present and proper notice was issued and no continuance requested and granted, the BAA may proceed with the hearing in the owners absence.

The Hearing Officer takes great care to ensure those property owners without counsel understand the procedures and are able to present their cases adequately.

Decisions rendered by the Hearing Officer may be appealed to the 24th Judicial District Court.

WHAT ARE MY RIGHTS?

A property owner (or representative) has the following rights in connection with his/her hearing:

- (1) to present evidence on relevant issues including witnesses, documents and photographs,
- (2) to be represented by an attorney at his/her expense,
- (3) cross-examine opposing witnesses,
- (4) and such other rights as granted by law.

MISSION STATEMENT

The mission of the Bureau of Administrative Adjudication is to provide for a fair and efficient enforcement of Parish ordinances as may be allowed by law and directed by ordinance(s) and an impartial and professional handling of all matters brought before it.

GOALS

- To provide a neutral forum for a fair and independent resolution of matters in a professional and efficient way.
- To provide a neutral forum for handling administrative hearings.
- To provide an efficient and fair hearing and decision process.
- To maintain the independence of the Bureau of Administrative Adjudication and protect the role of the impartial Hearing Officer(s).

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