N. C. Department of Environment and Natural Resources/Division of Environmental Health

NOTICE OF VIOLATION
ON-SITE WASTEWATER SYSTEM

___Certified Mail
(Return Receipt)

___First Class Mail

✓ Hand Deliver

Owner Jacinto Yanes Mailing Address 160 Fairway Drive

Occupant _____ Location Mooresville, NC 28117

Fairway Estates #228

☒ Residence ☐ Business ☐ Other

Dear Jacinto Yanes :
(Owner's Name)

You are hereby notified that you are violating the Rules adopted by the North Carolina Commission for Health Services or Article 11 of Chapter 130A of the General Statutes of North Carolina by owning or controlling a residence, place of business, or place of public assembly which is not provided with an approved wastewater system. Your wastewater system is not in compliance.

On _____, an inspection of the wastewater system by the Iredell County Health Department indicated the following violations:

Violation	Law or Rule Cite
Discharge of sewage or effluent to the surface of the ground, the surface waters, or directly into groundwater.	NCAC T15A, 18A rule. 1961

You are hereby ordered to bring your wastewater system into compliance by completing the following:

☒ Install/Repair wastewater system. You must obtain a Repair Permit from the local health department prior to repair your system.

☐ Other Repairs *(Specify)*

☐ Eliminate wastewater discharge and connect to an approved wastewater system.

☐ Perform Maintenance *(Specify)*

If the wastewater violation is not brought into compliance by January 2, 2013, appropriate legal action will be taken.

Failure to comply with the laws, rules and this notice will subject you to the following legal remedies; Injunction Relief [G.S. 130A-18], Administrative Penalties [G.S. 130-22(c)], Suspension or Revocation of Permits [G.S. 130-23], and Criminal Penalties [G.S. 130-25].

You may contact our office at Iredell County Health Dept. 610 E. Center St. Mooresville, NC 704 664-3739, phone; 704 662-3239, fax).

Notice Issued 12/18/12 (Date) Signed Marcus H. Dotson RS (DENR/DEH) Agent

Compliance _____ (Date) Signed _____ (DENR/DEH) Agent

10/8/2012 Site visit Sewage still surfacing

N. C. Department of Environment and Natural Resources/Division of Environmental Health

NOTICE OF VIOLATION
ON-SITE WASTEWATER SYSTEM

X Certified Mail (Return Receipt)

__ First Class Mail

__ Hand Deliver

Owner Jacinto Yanes Mailing Address 160 Fairway Dr.

Occupant _____ Location Mooresville, NC 28117

☐ Residence ☐ Business ☐ Other _____

Jacinto Yanes:
(Owner)

You are hereby notified that you are violating the Rules adopted by the North Carolina Commission for Health Services or Article 11 of Chapter 130A of the General Statutes of North Carolina by owning or controlling a residence, place of business, or place of public assembly which is not provided with an approved wastewater system. Your wastewater system is not in compliance.

On 8/28/12 & 9/5/12, an inspection of the wastewater system by the Iredell County Health Department indicated the following violations:

Violation	Law or Rule Cite
Discharge of sewage or effluent to the surface of the ground, the surface waters, or directly into groundwater.	NCAC 15A 18A rule .1961

You are hereby ordered to bring your wastewater system into compliance by completing the following:

X Install/Repair wastewater system. You must obtain a Repair Permit from the local health department prior to repair your system.

☐ Other Repairs *(Specify)* _____

☐ Eliminate wastewater discharge and connect to an approved wastewater system.

☐ Perform Maintenance *(Specify)* _____

If the wastewater violation is not brought into compliance by 10/8/2012, appropriate legal action will be taken.

Failure to comply with the laws, rules and this notice will subject you to the following legal remedies; Injunction Relief [G.S. 130A-18], Administrative Penalties [G.S. 130-22(c)], Suspension or Revocation of Permits [G.S. 130-23], and Criminal Penalties [G.S. 130-25].

You may contact our office at Iredell Co. H.D. 610 E. Center St. Mooresville, 704 664-3739, phone; 704 662 3239, fax).

Notice Issued 9/7/2012 Signed Maria H. Dotson R.S.
Date DENR/DEH Agent

Compliance _____ Signed _____
Date DENR/DEH Agent

Patrick Joseph
Associates
HOMES OF DISTINCTION

Fairway Drive Water Evaluation

Meter Readings	
March 16, 2007	13,230
April 16, 2007	23,160

- 31 days between readings
- Water usage over 31 days is 9,930 gallons
- Average daily water usage = 320 gallons
- Current usage capacity is 120 gallons per day per bedroom for 3 bedroom home = 360 gallons per day

N. C. Department of Environment and Natural Resources/Division of Environmental Health

NOTICE OF VIOLATION
ON-SITE WASTEWATER SYSTEM

__Certified Mail
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Owner Jacinto Yanes Mailing Address 160 Fairway Dr

Occupant Jacinto Yanes Location Mooresville, NC

☒ Residence ☐ Business ☐ Other _____

Jacinto Yanes :
(Owner)

You are hereby notified that you are violating the Rules adopted by the North Carolina Commission for Health Services or Article 11 of Chapter 130A of the General Statutes of North Carolina by owning or controlling a residence, place of business, or place of public assembly which is not provided with an approved wastewater system. Your wastewater system is not in compliance.

On December 18, 2006, an inspection of the wastewater system by the Iredell County Health Department indicated the following violations:

Violation	Law or Rule Cite
Any person owning or controlling the property upon which a ground absorption sewage treatment and disposal system is installed shall be responsible to prevent seepage or discharge of sewage or effluent to the surface of the ground.	NCAC T15A, 18A rule 1961(a)(c)

You are hereby ordered to bring your wastewater system into compliance by completing the following:

☒ Install/Repair wastewater system. You must obtain a Repair Permit from the local health department prior to repair your system.

☐ Eliminate wastewater discharge and connect to an approved wastewater system.

☐ Other Repairs *(Specify)* _____

☐ Perform Maintenance *(Specify)* _____

If the wastewater violation is not brought into compliance by January 22, 2007, appropriate legal action will be taken.

Failure to comply with the laws, rules and this notice will subject you to the following legal remedies; Injunction Relief [G.S. 130A-18], Administrative Penalties [G.S. 130-22(c)], Suspension or Revocation of Permits [G.S. 130-23], and Criminal Penalties [G.S. 130-25].

You may contact our office at Iredell County Health Department, (704 664-3739, phone; 704 662-3239, fax).

Notice Issued 12-21-06 Signed Maria H H Dobson Agent
Date DENR/DEH

Compliance _____ Signed _____ Agent
Date DENR/DEH

Patrick Joseph

Associates, Inc.

HOMES OF DISTINCTION

Water Evaluation

Meter Readings

February 16, 2007	1,230
March 16, 2007	13,230

- 28 days between readings
- Water usage over 28 days is 12,000 gallons
- Average daily water usage = 428.5 gallons
- Current usage capacity is 120 gallons per day per bedroom for 3 bedroom home = 360 gallons per day
- Current water usage vs. capacity is 68.5 gallons over limit

20600 North Main St. ❦ Cornelius, NC 28031 ❦ 704-896-3040 ❦ 704-655-2626 (fax)
www.patrickjosephhomes.com

Patrick Joseph
Associates Inc.
HOMES OF DISTINCTION

Fax Memo

To:	Maria Dotson	From:	Michelle, office Mgr.
Company:		Date:	3/21/07
Fax:	704·662·3239	Pgs.:	2

☐ Urgent ☒ For review ☐ Please comment ☐ Please reply ☐ Please recycle

Message:

Good morning Maria,

Per Greg's request - here is the breakdown of water usage at Fairway Dr.

Should you have any questions, please feel free to give me a call.

☺ Michele

Thank you and have a GREAT day!!

20600 N. Main Street • Cornelius, NC 28031 • 704-896-3040 • 704-655-2626 (fax)

www.patrickjosephhomes.com

STATE OF NORTH CAROLINA
IREDELL COUNTY

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION

704 832-
6610

SUBPOENA AND INSTUCTIONS
FOR PROSECUTING WITNESS

STATE OF NORTH CAROLINA
VS.

Yanes

TRIAL DATE: 12/14/12

I. This is a subpoena. You are commanded to appear in District Court ROOM #0002(Statesville)OR District Court ROOM #0004(Mooresville)at 9:00 a.m. on the trial date above and at each time the case is set thereafter. If you fail to appear, the charges will probably be dismissed and you will be charged by the Court with contempt.

II. You may subpoena witnesses if you wish. You must state in the criminal complaint the names, addresses, and phone numbers of your witnesses. Do not wait until the last minute to issue a subpoena. You should allow the sheriff plenty of time to find the witness before your scheduled trial date.

III. If you change your mind after you initiate criminal charges, YOU CANNOT DROP OR LIFT THE CHARGES!!!! On the trial date you may request the Assistant District Attorney to dismiss the charges. If the charges are dismissed, the court may order you to pay the cost of court, in cash on the trial date. The Assistant District Attorney can dismiss the charges even if you disagree.

IV. The court date is contingent upon service of the defendant. Please call 704-832-6600 about two days before the court date to confirm.

Magistrate

I have received a copy of this subpoena or instructions given me by the above-signed Magistrate. I agree to appear in court on the trial date and each time the case is on the docket thereafter.

DATE: _____

_____
Signature of Prosecuting Witness

N. C. Department of Environment and Natural Resources/Division of Environmental Health

NOTICE OF VIOLATION
ON-SITE WASTEWATER SYSTEM

Steve Hedrick (704) 902-4481

___Certified Mail (Return Receipt)

___First Class Mail

✓ Hand Deliver

Owner Jacinto Yanes

Occupant _____

Mailing Address 160 Fairway Drive

Location Mooresville, NC 28117

Fairway Estates #228

☒ Residence ☐ Business ☐ Other

Dear Jacinto Yanes :
(Owner's Name)

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☐ Eliminate wastewater discharge and connect to an approved wastewater system.

☐ Perform Maintenance *(Specify)*

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You may contact our office at Iredell County Health Dept. 610 E. Center St. Mooresville, NC 704 664-3739, phone; 704 662-3239, fax).

Notice Issued 12/18/12 (Date) Signed Mariah H. Dotson R.S (DENR/DEH) Agent

Compliance _____ (Date) Signed _____ (DENR/DEH) Agent