

5. On September 18, 2013, RIDEM filed suit against the Defendant in the Superior Court to enforce the First NOV in case number PM-2013-4671, a cause of action under R.I. Gen. Laws § 42-17.1-2(21)(vi).
6. On January 5, 2016, RIDEM issued a second Notice of Violation to the Defendant alleging certain violations of the UST Regulations on the Property (hereinafter the “Second NOV”). Following the Defendant’s request for an administrative hearing, on January 26, 2017, the Administrative Adjudication Division hearing officer issued a Decision and Order that upheld the Second NOV. Thus, the Second NOV became a Compliance Order, including the order to pay an administrative penalty in the amount of \$7,792.00.
7. On November 9, 2022, RIDEM filed suit against the Defendant in the Superior Court to enforce the Second NOV in case number PC-22-06438, a cause of action under R.I. Gen. Laws § 42-17.1-2(21)(vi).
8. On or about February 1, 2023, Mr. Bein sold the Property to Mr. Jitender Behl. RIDEM is seeking enforcement of the Order (compliance) portion of the NOVs against Mr. Jitender Behl.
9. In conjunction with the closing on the Property, Mr. Yohannes Bein, trustee of the Defendant, paid a settlement of the penalty in the amount of \$17,792 to RIDEM to resolve the penalty portions of the First and Second NOVs.
10. RIDEM will not pursue Goff or Mr. Yohannes Bein for the remaining amounts of the administrative penalty based upon any past actions alleged in the NOVs.

Signatures on next pages

**YOHANNES BEIN, AS TRUSTEE OF THE
75 GOFF AVENUE REALTY TRUST 5/7/1999:**

Yohannes Bein, as Trustee of the
75 Goff Avenue Realty Trust 5/7/1999

Dated: _____

In my capacity, as Trustee of 75 Goff Avenue Realty Trust I hereby aver that I am authorized to sign this Consent Order and thereby bind 75 Goff Avenue Realty Trust to satisfy any obligation imposed upon it pursuant to said Agreement

**STATE OF RHODE ISLAND
COUNTY OF _____**

In _____, in said County and State, on this _____ day of _____, 2021, before me personally appeared _____, the Trustee of 75 Goff Avenue Realty Trust, to me known and known by me to be the party executing the foregoing instrument on behalf of 75 Goff Avenue Realty Trust and he/she/they acknowledged said instrument by him/her/they executed, to be his/her/their free act and deed in said capacity and the free act and deed of 75 Goff Avenue Realty Trust.

Notary Public
My Commission Expires: _____

RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
By its attorney,

Jenna Giguere, Esq. (#8744)
RIDEM Office of Legal Services
235 Promenade Street, Fourth Floor
Providence, RI 02908
(401) 222-6607 / jenna.giguere@dem.ri.gov

Entered as an Order of this Court this _____ day of _____, 20__.

ENTERED:

PER ORDER:

**JUSTICE
DATE:**

**CLERK
DATE:**