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CAUSE NO. 2016-26947

STATE OF TEXAS and
CITY OF HOUSTON,
Plaintiffs

v.

PLAINFIELD INN A/K/A
VIRANI & MANAV, L.L.C.
RAJAN PATEL; DAHYABHAI
PATEL; AND THE REAL
PROPERTY KNOWN AS 9638
PLAINFIELD STREET,
HOUSTON, TEXAS
Defendants

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IN THE 164th DISTRICT COURT OF
HARRIS COUNTY, TEXAS

AGREED TEMPORARY INJUNCTION

On the _____ day of _____ 2016, the parties announced an Agreed Temporary Injunction of Plaintiffs, the State of Texas and City of Houston, and Defendants Plainfield Inn a/k/a Virani & Manav, L.L.C., Rajan Patel, Dahyabhai Patel, and the Real Property Known as 9638 Plainfield Street, Houston, Texas (the "Property" or "hotel) (collectively "Defendants"). The Court, hereby GRANTS the Agreed Temporary Injunction and ORDERS as follows:

I.

The Court finds, based upon the evidence presented, that

- i) Defendant Virani & Manav, L.L.C., a/k/a Plainfield Inn, owns the business operating as the Plainfield Inn located at 9638 Plainfield, Houston, Texas and the Real Property Known as 9638 Plainfield, Houston, Texas;
- ii) Defendants Rajan Patel and Dahyabhai Patel maintain the business operating as Plainfield Inn located at 9638 Plainfield, Houston, Texas;

FILED

Chris Daniel
District Clerk

2:35 PM

AUG 22 2016

M. HENDERSON

Time: _____
Harris County, Texas

By _____
Deputy

RECORDER'S MEMORANDUM
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at the time of imaging

iii) Plaintiff contends that the business known as the Plainfield Inn operating at 9638 Plainfield, Houston, Texas constitutes a common nuisance under Section 125.0015 of the Texas Civil Practice & Remedies Code;

iv) an Agreed Temporary Injunction should be issued to restrain and prevent the continuing acts and practices of the Defendants constituting a common nuisance.

The Court further finds it has jurisdiction over this matter as well as the parties and venue is proper.

II.

IT IS THEREFORE ORDERED that Defendants Plainfield Inn a/k/a Virani & Manav, L.L.C., Rajan Patel, Dahyabhai Patel, and the Real Property Known as 9638 Plainfield Street, Houston, Texas AND their officers, agents, servants, employees, and attorneys, and those persons in active concert or participation with them who receive actual notice of the order by personal service or otherwise are prohibited from:

A. Failing to operate and maintain surveillance systems composed of twenty-four (24) security cameras, located throughout the Property. Cameras shall be placed in the front, back and side parking lots, each of the stairwells on each floor, and the laundry room. The Defendants shall ensure that the Digital Video Recorder (DVR) has the ability to record and store streaming video for more than 30 days, has the capability to download video to a USB portable storage device. The Digital Video Recorder must record at all times the Property is open for business. All camera recordings shall display the date and time of the recording. The Defendants shall allow law enforcement personnel access, within a day of the recording, to the digital video recording to review and copy the video;

B. Failing to restrict access to the hallways, stairways, pool, laundry room, the two side and back parking lots, and the hotel rooms on the Property by electronic

access control devices and locks making these areas accessible only to properly registered guests who have validly issued card keys, visitors (no more than two per room per 24 hour period) who have checked in with the front office, authorized hotel personnel, and law enforcement and emergency personnel via 9-1-1 access.;

C. Failing to install within 30 days an electronic access gate from the perimeter fence across the parking lot to the front of the building (at the location as indicated on Exhibit A to this Order) that prevents ingress or egress to the rest of the Property without a valid card key and failing to maintain the gate in good working order. From the date of this Order until the completion of the gate and its operation in good working order, Defendants shall engage a licensed security guard (in addition to the licensed peace officer as set forth in subparagraph I) at all times the hotel is open to route all persons entering the Property to the office to register according to the procedures in subparagraph F herein.

D. Accepting cash payments from hotel guests unless i) the registered guest also presents a valid credit card with matching government identification with photo at the time of check-in; ii) Defendants maintain a scanned record of the payment, credit card, and government identification for 90 days; and iii) Defendants produce the scanned records to law enforcement immediately upon request.

E. Issuing more than one card key per registered guest;

F. Failing to require all registered guests and visitors to provide government issued identification with photo at the front office before allowing access to hallways, stairways, pool, laundry room, the two side and back parking lots, and the hotel rooms on the Property and failing to maintain a scanned record of the government issued photo identification of all guests and a record of visitors that includes a photo copy of the

identification, the date, and the room number for ninety (90) days. The Defendants shall allow law enforcement personnel access to the records upon request.

G. Allowing rates of less than a full rate for a one night stay;

H. Allowing extended stays of guests of more than 7 continuous days unless guest provides written proof of employment by producing a paystub issued by a valid employer within the last 30 days of registering and Defendants shall maintain a scanned record of the paycheck stub;

I. Failing to engage and maintain at least one (1) licensed peace officer on the Property at all times as follows: a) Thursday at 3 p.m. through 7 a.m. on Friday; b) Friday at 3 p.m. through 7 a.m. on Saturday; c) Saturday at 3 p.m. through 7 a.m. on Sunday; d) Sunday at 3 p.m. through 7 a.m. on Monday; e) on Monday, Tuesday, and Wednesday one four-hour shift each day/night at different times of the day to be determined by the peace officer. The peace officer shall keep a record of all criminal activity observed by the officer on the Property, including the names of any suspects, room number, and nature of the activity, whether any persons were arrested, and provide a copy of the records to the Defendants, which shall be made available to Plaintiff's counsel upon request.

J. Failing to post and maintain a sign in a conspicuous place in each hotel room listing the toll-free telephone number 1-888-373-7888, the National Human Trafficking Human Resource Center and the following statement, "Victims and people who know of a human trafficking situation can send their message to Be Free (233733)";

K. Allowing access to the parking lot for visitors. Allowing any vehicle to park in the parking lot of the hotel unless the vehicle and guest are registered with the hotel and have received a placard from the front office authorizing their stay. The Defendants

shall keep a record of the make, model and color, as well as, license plate number for any vehicle allowed to park on the Property;

L. Failing to eliminate any pornographic, adult or XXX cable feed or satellite, if any, into the hotel rooms or any room in the hotel, and not rent any pornographic, adult or XXX-rated video to any guests;

M. Failing to issue a parking tag to all hotel guests and visitor who have vehicles and require all hotel guests and visitors to display the parking tag in the front windshield of his or her vehicle so that it is visible;

N. Allowing any individual who i) has been arrested for or participated in criminal activity on the Property as identified by the peace officer in subparagraph I of this Order; ii) any individual previously identified by Defendants on Defendants' "Do Not Rent List" or iii) otherwise known to Defendants to rent a room or remain on the Property. Defendants must maintain an accurate list of persons arrested for or participating in criminal activity on the Property and to use such list to effectuate the prior restriction;

O. Within ten days of this Order, Defendants shall come into compliance with all Life & Safety inspection requirements of which Defendants have been provided written notice of a violation, including but not limited to compliance with the Life & Safety inspection requirements for swimming pool emergency phones.

IT IS FURTHER ORDERED that if any provision of this Agreed Temporary Injunction is determined by to be unenforceable or void for any reason, that to the extent permitted by law, any other provision of this Order that is not affected by that determination shall remain in full force and effect.

V.

Defendant's shall post a \$ 10,000.00 bond or shall make a cash deposit in the Court's registry in lieu of bond pursuant to the requirements of Tex. Civ. Prac. & Rem. Code §125.045(a)(1)(2),(a-1)(1),(2),(3), and (4). Such bond or cash deposit in lieu of bond will be conditioned upon Defendants' compliance with all terms and conditions of this Agreed Temporary Injunction. The parties agree service of this Agreed Temporary Injunction is not required and is complete upon the parties signing of this Agreed Temporary Injunction

VI.

Upon determination by the Court that a violation of this Agreed Temporary Injunction has occurred, the Court may order a forfeiture of the bond. Tex. Civ. Prac. & Rem. Code §125.003(a); §125.045(b). Upon forfeiture of the bond, the location or locations in violation of this Agreed Temporary Injunction shall be ordered closed for one year from the date of order of bond forfeiture. Tex. Civ. Prac. & Rem. Code §125.003(a). In bringing an action under Tex. Civ. Prac. & Rem. Code §125.003(a), the Court may award Plaintiffs their investigative costs, court costs, reasonable attorney's fees, witness fees, and deposition fees. Tex. Civ. Prac. & Rem. Code §125.003(b).

In addition, upon a finding of a violation of this Agreed Temporary Injunction, the Court may in its discretion enter one or more orders as allowed under Chapter 125 of the Texas Civil Practice & Remedies Code including but not limited to an order:

A) sentencing one or more Defendants for civil contempt as follows: 1) a fine of not less than \$1000 or more than \$10,000; 2) confinement in jail for a term of not less than 10 days nor more than 30 days; or 3) both fine and confinement. Tex. Civ. Prac. & Rem. Code §125.002(d)(1)-(3);

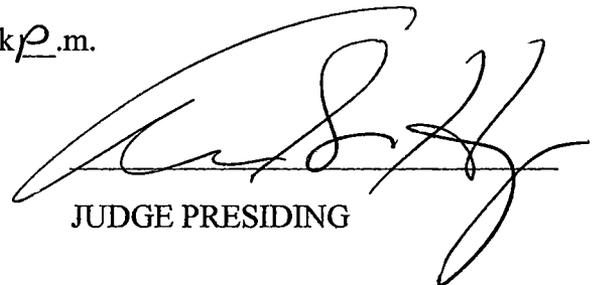
B) prohibiting the use of city streets, alleys, and other public ways for access to the place during the existence of the nuisance or in furtherance of the nuisance in violation of this Agreed Temporary Injunction. Tex. Civ. Prac. & Rem. Code§125.045(b);

C) limiting the hours of operation of the location or locations in violation of the Temporary Injunction. Tex. Civ. Prac. & Rem. Code§125.045(b);

D) any other legal remedy available under the laws of the State of Texas. Tex. Civ. Prac. & Rem. Code§125.045(b) and Tex. Vus. & Com. Code §17.41 *et seq.*

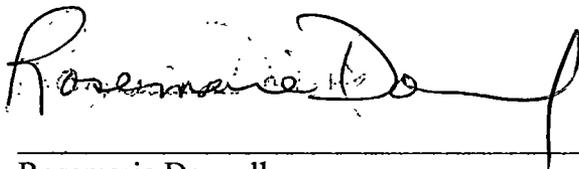
Final trial in this cause is hereby set for the 28th day of Nov., 2016 at 9 o'clock, a.m.

Signed this 22 day of Aug., 2016 at 2:30 o'clock p.m.



JUDGE PRESIDING

ENTRY REQUESTED:



Rosemarie Donnelly
Assistant County Attorney
SBN 05983020

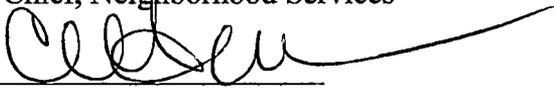
Celena Vinson
Assistant County Attorney
SBN 24037651
celena.vinson@cao.hctx.net
OFFICE OF VINCE RYAN, HARRIS COUNTY ATTORNEY
1019 Congress, 15th floor
Houston, Texas 77002

713-274-5334
713-755-8924 (facsimile)

ATTORNEYS FOR PLAINTIFF, THE STATE OF TEXAS

RONALD C. LEWIS
City Attorney

SANDRA EIDSON
Section Chief, Neighborhood Services

By: 
Cora Garcia
Sr. Assistant City Attorney
State Bar No. 22260800

Damon A. Crenshaw
Sr. Assistant City Attorney
State Bar No. 05065200
Damon.crenshaw@houstontx.gov
City of Houston Legal Department
900 Bagby, 4th Floor
Houston, Texas 77002
832.393.6317 Telephone
832.393.6259 - Facsimile

ATTORNEYS FOR THE PLAINTIFF, THE CITY OF HOUSTON

By: 
Robert M. Corn
State Bar No. 04828600
The Lyric Centre
440 Louisiana St., Suite 2000
Houston, Texas 77002-1636
Telephone: 713-229-0055

Facsimile: 713-229-0057

Email:

ATTORNEY FOR THE DEFENDANTS VIRANI
& MANAV, L.L.C. FOR ITSELF AND AS
OWNER OF THE REAL PROPERTY LOCATED
AT 9638 PLAINFIELD STREET, HOUSTON,
TEXAS, RAJAN PATEL and DAHYABHAI
PATEL



I, Chris Daniel, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.

Witness my official hand and seal of office this August 23, 2016

Certified Document Number: 71579945 Total Pages: 9

Chris Daniel, DISTRICT CLERK
HARRIS COUNTY, TEXAS

In accordance with Texas Government Code 406.013 electronically transmitted authenticated documents are valid. If there is a question regarding the validity of this document and or seal please e-mail support@hcdistrictclerk.com