

Lexington Fayette Urban County Government
Administrative Hearing Board Finding of Fact Form and Final Order

Date of Hearing: 01/15/2019 Hearing Officer: MATT BOYD

Case number: 258593 Address: 527 W THIRD ST.

Owner: GORAYA ONE LLC Present/Not Present

Person Representing Property Owner: Benjamin Daniels
Legal Standing: PDA

Issuance Date of Civil Penalty: 11/20/2018 Case Officer: RHONDA BROWN

Housing with \$ 300.00 Civil Penalty Amount

Nuisance with \$ _____ Civil Penalty Amount

Sidewalk with \$ _____ Civil Penalty Amount

Emergency Abatement \$ _____ Nuisance Housing

Other: _____ \$ _____ Civil Penalty Amount

Findings of Fact:

Appellant owns the subject property. Notice was properly served on Appellant and notice of appeal was timely filed.

_____ A violation(s) of the Ordinance was not committed. To Wit: _____

A violation(s) of the Ordinance was committed. To Wit: 6 violations

Lexington Fayette Urban County Government
Administrative Hearing Board Finding of Fact Form and Final Order

Date of Hearing: 01/15/2019

Hearing Officer: MATT BOYD

Case number: 258593

Address: 527 W THIRD ST.

Conclusions of Law

The civil penalty is:

Upheld

Dismissed

Other

Notes: _____

Civil Penalty Assessed

1) Appellant is assessed a civil penalty of \$ _____. Failure to make payment on this civil penalty within 30 days of the issuance of this ruling may result in the placement of lien against the indicated property.

Civil Penalty held in abeyance

2) Appellant is granted until _____ within which to remedy the violations to avoid the assessment of a civil penalty of \$ _____. The appellant shall contact the Case Officer and request a confirmation inspection to ensure compliance has been gained on or before the above indicated date as well. Notes: _____

Civil Penalty assessed in part with remaining balance held in abeyance

3) Appellant is assessed a civil penalty of \$ 150, and is ordered to remedy the violation by 3/15/19, and in the event he/she fails to do so, an additional amount of \$ 150 will be assessed, and the Lexington-Fayette County Government will abate (when applicable) the nuisance, at the expense of the Appellant.

Notes: _____
Permit obtained within 30 days before of additional penalty is assessed

****Notice: Has indicated in Kentucky Revised Statue 65.8831, any appeal of this order must be made to the Fayette District Court within thirty (30) days from the date this order is issued.**

Hearing Officer's Signature

1/15/19
Date

N/A Supplementary Page
Completed



DIVISION OF CODE ENFORCEMENT
Issuance of Citation (Housing Violation)

**GORAYA ONE LLC
248 GRASSLAND PARK
LEXINGTON, KY 40515**

Date & Time of Issuance: November 20, 2018, at 9:24 AM
Compliance Due Date: December 20, 2018
Case Number: 258593

RE: 527 W THIRD ST, Lexington, KY 40508

On **November 8, 2018 at 8:13 AM**, the above referenced property was placed under a Notice of Violation regarding required repairs or corrections pursuant to Chapter 12 of the Lexington-Fayette Urban County Government Code of Ordinances.

On **November 20, 2018 at 9:24 AM**, I conducted a re-inspection of the property and found that not all of the cited repairs/corrections have been completed. The purpose of this document is to formally notify you that due to the continued non-compliance and the presence of **6 violation(s)** on the property during the above indicated "Date of Issuance", you are being issued a citation. **As established in Chapter 12-1 of the Code of Ordinances you have been issued a citation in the amount of \$300.** Our records indicate you have received **2 citation(s)** in this case.

The property owner may file a written appeal of this action, but must do so within 7 days of the above listed "Date of Issuance". Appeals, which should indicate why the citation should be dismissed, may be filed via U.S. Mail or by delivering the request to: Division of Code Enforcement, C/O Secretary of Administrative Hearing Board, 101 East Vine Street, Suite 500, Lexington, KY 40507, or by faxing the appeal request to (859-425-2274)—No emails. Failure to appeal this citation within the indicated time shall result in the determination the property owner has waived their right to appeal, the violations were present on the property, and the issuance of the citation was proper.

If this citation is not paid within 14 days of its issuance and it is not on appeal, a Notice of Lien Claimed may be filed. If a Notice of Lien is filed, then the property owner will be responsible for all fees and administrative costs associated with the lien as well. **All payments related to citations or liens should be made to the Lexington-Fayette Urban County Government and mailed or delivered to the Lexington-Fayette Urban County Government, Division of Revenue, 218 East Main Street, Lexington, Kentucky 40507.** Please include a copy of this citation and/or documents clearly identifying the referenced property and this citation with the payment to ensure proper credit occurs.

Please note that as outlined in Chapter 12-1 of the Code of Ordinances, if the cited repairs are not completed and the property is not brought into compliance before the above indicated "Compliance Due Date", additional penalties ranging between \$100.00 and \$2,500.00 may be assessed. Please take immediate steps to correct these violations to ensure no additional citations or liens are issued.

Please contact me if you have any questions or concerns regarding this citation. If you do not receive a response from me within 36 Hours of calling/emailing, please call our office and ask to speak to my supervisor.

Rhonda Brown
Code Enforcement Officer

Phone
(859) 576-3847

E-Mail Address
rbrown@lexingtonky.gov

Hearing Date: August 29, 2018

Address: 527 W Third St
Lexington, KY 40508
(CASE # 18800527-2)

Owner: Goroya One LLC
248 Grassland Park
Lexington, KY 40508

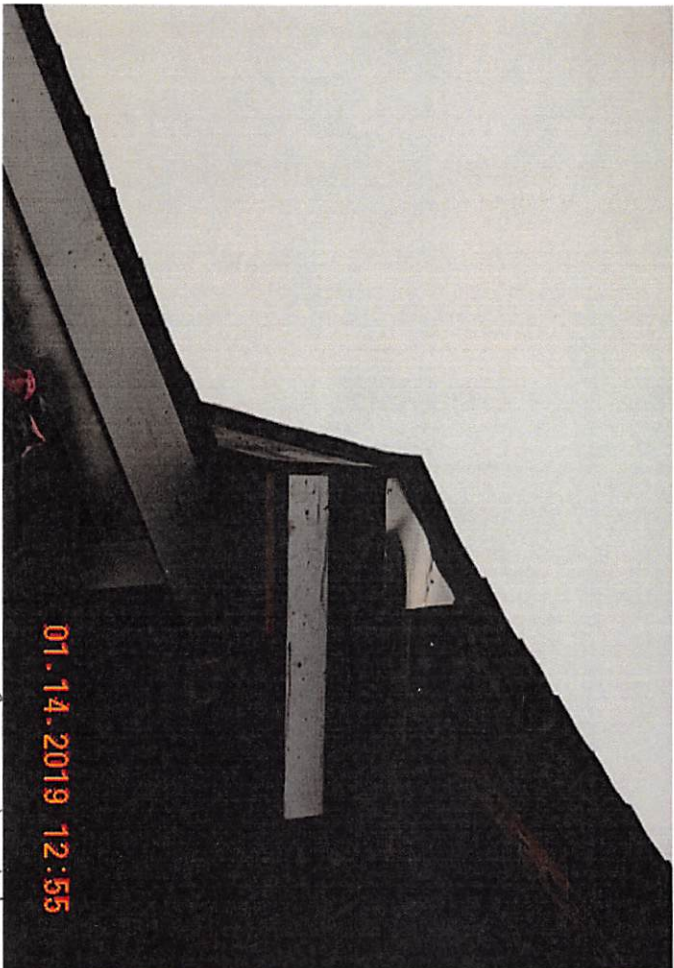
- 7-10-15 Original case opened by Officer Brooks
- 10-20-17 foreclosure
- 3-5-18 Transferred to Officer Brown after purchase
- 3-15-18 Notice of Violation (60 day repair Notice) 21 violations present
- 5-23-18 Site inspection was made by Officer Brown. Thirty day extension Was granted. Permit approval was in progress
- 7-16-18 Inspection by Officer Brown (civil penalty in the amount of \$500 For 21 violations
- 7-23-18 Notice of appeal.
- 8-7-18 Notice of Hearing date
- 8-28-18 Site visit by Officer Brown (permit is still showing as withdrawn in The Building Inspection office
- 8-29-18 Hearing date

page 1



- 8-29-18 \$500 civil penalty held in abeyance for sixty days by Joseph Buckles on
This date.
- 11-20-18 A site visit was made by Officer Brown with no owner present. Work had continued
However; only two violations were fully completed and could be removed from
The list. The 2nd civil penalty in the amount of \$300 for 6 violations was issued by
Officer Brown. Also a permit for the deck construction had not been obtained as
Requested by Officer Brown at the previous hearing on 8-29-18 per building
Inspection personnel via phone and the information posted on the website.
- 11-27-18 Appeal requested received
- 12-19-18 Mrs. King replied to an email, from Dr. Iqbal, explaining the reason for the 2nd civil
penalty (see enclosed email.)
- 12-19-18 Notice of Hearing Date sent
- 1-14-18 Pre hearing site visit. The building permit has not been obtained to date.
5 violations remain - 1 completed & removed
- 1-15-18 Hearing Date

(page 2)



1-14-19

587 W. 3rd St.

Rhonda Brown

tabbies
EXHIBIT
CE # 1

12:52

