

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

Date of Hearing: 03/13/2019

Hearing Officer: GERALD ROSS

Case number: 262467

Address: 206 W. FIFTH ST.

Owner: ROBERT G. HODGE JR.

Present/Not Present

Person Representing Property Owner: _____

Robert Hodge

Legal Standing: Owner

Issuance Date of Civil Penalty: 01/16/2019

Case Officer: JODY WHITAKER

Housing with \$ 400.00 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: 18 Violation

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Conclusions of Law

The civil penalty is:

Upheld

Dismissed

Other

Notes: Held in abeyance for 90 days - June 19, 2019
for repair

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 June 19, 2019 within which to remedy the violations to avoid the assessment of a civil penalty of \$ 400⁰⁰. 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 \$ _____, and is ordered to remedy the violation by _____, and in the event he/she fails to do so, an additional amount of \$ _____ will be assessed, and the Lexington-Fayette County Government will abate (when applicable) the nuisance, at the expense of the Appellant.

Notes: _____

****Notice: As 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.**

Gerald Ross
Hearing Officer's Signature

3/13/19
Date

Supplementary Page Completed

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Address: 206 W. FIFTH ST.

Supplementary Notes (If Needed)

Hearing Officer's Signature _____

Date _____



DIVISION OF CODE ENFORCEMENT
Issuance of Citation (Housing Violation)

HODGE ROBERT G JR
PO BOX 54988
LEXINGTON, KY 40555

Date & Time of Issuance: January 16, 2019, at 12:42 PM
Compliance Due Date: February 15, 2019
Case Number: 262467

RE: 206 W FIFTH ST, Lexington, KY 40508

On **November 16, 2018 at 10:09 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 **January 16, 2019 at 12:42 PM**, 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 **18** 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 \$400.** Our records indicate you have received 1 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.

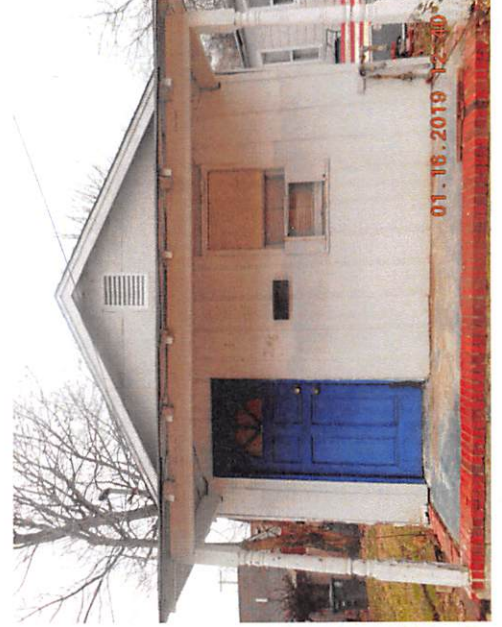
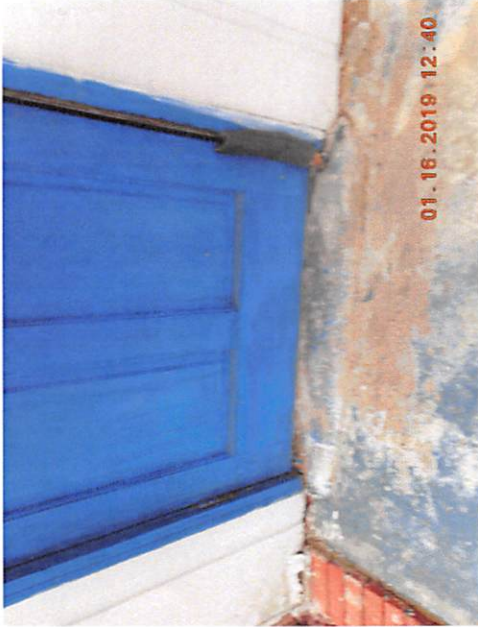
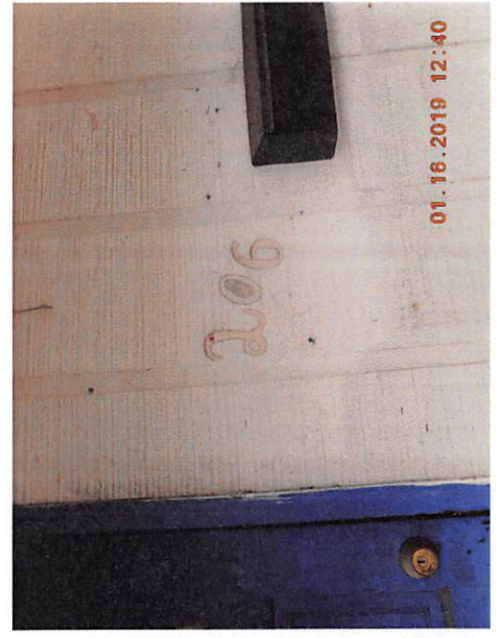
Please contact me if you have any questions or concerns regarding this citation. If you do not receive a response from me within 36 Hours of calling/emailing, please call our office and ask to speak to my supervisor.

Jody Whitaker
Code Enforcement Officer

Phone
(859) 576-3849

E-Mail Address
jwhitaker@lexingtonky.gov





CITY OF LEXINGTON
DIVISION OF CODE ENFORCEMENT
Issuance of Citation (Housing Violation)

HODGE ROBERT G JR
PO BOX 54988
LEXINGTON, KY 40555

RE: 206 W FIFTH ST, Lexington, KY 40508

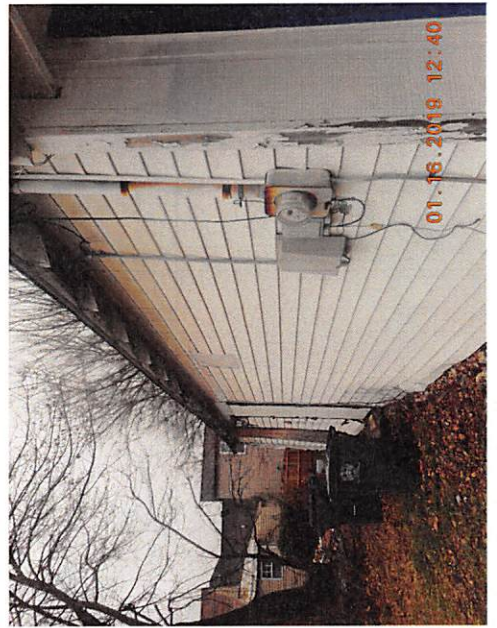
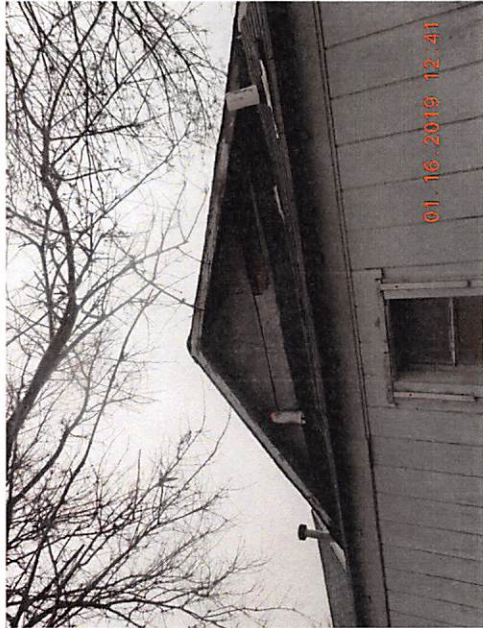
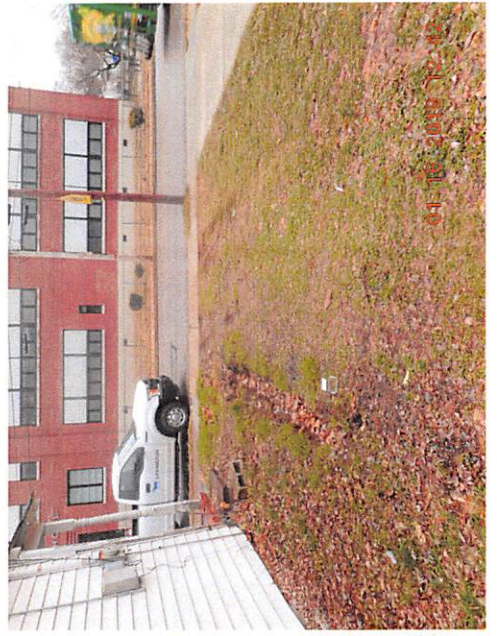
Date & Time of Issuance: **01/16/2019 12:41**
Compliance Due Date: **01/16/2019 12:41**
Case Number: **26050112**

On November 16, 2018 at 10:09 AM, the above referenced property was placed under a citation for non-compliance with the following Ordinance:
On January 16, 2019 at 12:42 PM, I conducted a re-inspection of the property and repairs/corrections have been completed. The purpose of this document is to form continued non-compliance and the presence of 18 violation(s) on the property during this re-inspection. You are being issued a citation. As established in Chapter 12.1 of the City of Lexington Maintenance Code, you are being issued a citation in the amount of \$400. Our records reflect that you have not maintained accepted levels of health, safety and welfare of the property. Appeals, which should be filed within 30 days of the date of issuance.

HODGE ROBERT G JR
PO BOX 54988
LEXINGTON, KY 40555

RE: 206 W FIFTH ST, Lexington, KY 40508

On November 16, 2018 at 10:09 AM I conducted a re-inspection of the property and repairs/corrections have been completed. The purpose of this document is to form continued non-compliance and the presence of 18 violation(s) on the property during this re-inspection. You are being issued a citation. As established in Chapter 12.1 of the City of Lexington Maintenance Code, you are being issued a citation in the amount of \$400. Our records reflect that you have not maintained accepted levels of health, safety and welfare of the property. Appeals, which should be filed within 30 days of the date of issuance.





LEXINGTON

Record Type:- Code Enforcement

Print Related List

[Print Page](#)



▼ **Detail**

▼ **Case Information**

Case Number	262467	Case Owner	Jody Whitaker
Account Name	206 W FIFTH ST	Anonymous	<input checked="" type="checkbox"/>
Contact Name	HODGE ROBERT G JR	Problem	Housing - Code Enforcement
Latest Inspection	INSP-020338		

▼ **Case Description**

Description Summary: Appealed - Housing Complaint - Non Emergency

Details

Web Request.
The house does not have any gutters. The front porch looks like it has structural damage.

▶ **Case Status**

▶ **Additional Information**

▼ **Address**

Street Number	206	PVA Address	206 W FIFTH ST
Street Name	W FIFTH ST	PVA Page	http://qpublic9.qpublic.net/ky_fayette_display.php?county=ky_fayette&KEY=11622200
Unit Number		Address	206 W FIFTH ST
City	Lexington	State	KY
ZIP	40508		

▼ **Property Owner**

Property Owner	HODGE ROBERT G JR	Property Owner Address	PO BOX 54988
Property Owner Mailing Address	PO BOX 54988 LEXINGTON, KY 40555	Property Owner City/State/Zip	LEXINGTON, KY 40555

▶ **Location Information**

▶ **Zone Information**

▶ **Property Characteristics**

▼ **Invoice Summary**

Total Invoice Amount	400.00	Violation Count	18
Total Principal Amount	400.00	Open Violation Count	18
Total Paid Amount	0.00	Housing Citation Count	1
Total Remaining Principal	400.00	Active Nuisance Citation Count	1
Total Interest		Total Lost Amount	0.00
Total Outstanding Amount	400.00		

▶ **Invoice Payoff**

▼ **Custom Links**

▶ **System Information**

▼ **Inspections**

Inspection ID	INSP-018206
Inspection Date	11/20/2018
Status	Printed
Purpose	Initial Inspection
Is Latest Inspection	
Document Generated Date	11/16/2018
Actual End Time	11/16/2018 10:09 AM

Inspection ID	INSP-018228
Inspection Date	1/15/2019
Status	Printed
Purpose	Reinspection
Is Latest Inspection	
Document Generated Date	1/16/2019
Actual End Time	1/16/2019 12:42 PM

Inspection ID	INSP-020338
Inspection Date	3/12/2019
Status	Assigned
Purpose	Hearing Prep Inspection
Is Latest Inspection	✓
Document Generated Date	
Actual End Time	

▼ **Case Contacts**

Case Contact Number **14303**
 Contact **HODGE ROBERT G JR**
 Contact Role **Owner**
 Receives Notifications

▼ **Violation**

Violation Number **CV-17040**
 Status **Open**
 Violation Type **Dck112 - Paint Clms**
 Created Date **11/16/2018 10:09 AM**

Violation Number **CV-17041**
 Status **Open**
 Violation Type **Dck113 - Paint Clgs**
 Created Date **11/16/2018 10:09 AM**

Violation Number **CV-17042**
 Status **Open**
 Violation Type **Drs101 - Door Trim Rpr**
 Created Date **11/16/2018 10:09 AM**

Violation Number **CV-17043**
 Status **Open**
 Violation Type **Drs102 - Door Repair**
 Created Date **11/16/2018 10:09 AM**

Violation Number **CV-17044**
 Status **Open**
 Violation Type **Drs104 - Door Caulk**
 Created Date **11/16/2018 10:09 AM**

Violation Number **CV-17045**
 Status **Open**
 Violation Type **Drs106 - Door Hardware**
 Created Date **11/16/2018 10:09 AM**

Violation Number **CV-17046**
 Status **Open**
 Violation Type **Egn109 - Covers Replace**
 Created Date **11/16/2018 10:09 AM**

Violation Number **CV-17047**
 Status **Open**
 Violation Type **Env107 - Siding Damage**
 Created Date **11/16/2018 10:09 AM**

Violation Number **CV-17048**
 Status **Open**
 Violation Type **Env108 - Siding Paint**

Created Date 11/16/2018 10:09 AM

Violation Number CV-17049
Status Open
Violation Type Ext103 - Driveway Rpr
Created Date 11/16/2018 10:09 AM

Violation Number CV-17050
Status Open
Violation Type Ext108 - Fence Repair
Created Date 11/16/2018 10:09 AM

Violation Number CV-17051
Status Open
Violation Type Ext110 - Street Numbers
Created Date 11/16/2018 10:09 AM

Violation Number CV-17052
Status Open
Violation Type Gut109 - Ext Trim Repair
Created Date 11/16/2018 10:09 AM

Violation Number CV-17053
Status Open
Violation Type Gut110 - Ext Trim Paint
Created Date 11/16/2018 10:09 AM

Violation Number CV-17054
Status Open
Violation Type Win101 - Wndw Glass
Created Date 11/16/2018 10:09 AM

Violation Number CV-17055
Status Open
Violation Type Win102 - Wndw Openable
Created Date 11/16/2018 10:09 AM

Violation Number CV-17056
Status Open
Violation Type Win105 - Wndw Trim
Created Date 11/16/2018 10:09 AM

Violation Number CV-17057
Status Open
Violation Type Win106 - Wndw Ext Caulk
Created Date 11/16/2018 10:09 AM

> Files

∨ Invoices

Invoice ID	I-006660
Invoice Date	1/16/2019
Invoice Amount	400.00
Outstanding Amount	400.00
Due Date	1/30/2019
Inspection	INSP-018228
Status	Appealed
Sub-Status	Invoiced

▼ **Hearings**

Hearing Number	H-000275
Hearing Date	3/13/2019 1:00 PM
Status	Scheduled
Comments	

▼ **Emails**

Subject	Housing Complaint - Non Emergency [ref:_00D411NS8A_5001M1F0eE8:ref]
From Address	311@lexingtonky.gov
To Address	anonymous@anonymous.email
Message Date	11/15/2018 4:43 PM
Status	Sent

