

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

Date of Hearing: 06/06/2019 Hearing Officer: JIM WOMACK

Case number: 244957 Address: 2045 CAMBRIDGE DR.

Owner: CAMBRIDGE PARK APARTMENTS LLC Present / Not Present

Person Representing Property Owner: Bruna Hernandez

Legal Standing: Prop. Mgr.
Authorized Rep.

Issuance Date of Civil Penalty: 04/22/2019 Case Officer: KEVIN INGRAM

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: Per citation

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Conclusions of Law

The civil penalty is:

Upheld

Dismissed

Other

Notes: _____

violations were abated

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 \$ _____, 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 Statute 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.**

Jim B. Womack
Hearing Officer's Signature

6/6/19
Date



DIVISION OF CODE ENFORCEMENT
Issuance of Citation (Housing Violation)

**CAMBRIDGE PARK APARTMENTS LLC
7651 ILUMINADO
SAN DIEGO, CA 92127**

**Date & Time of Issuance: April 22, 2019, at 12:51 PM
Compliance Due Date: May 22, 2019
Case Number: 244957**

RE: 2045 CAMBRIDGE DR, Lexington, KY 40504

On **November 12, 2018 at 1:27 PM**, 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 **April 22, 2019 at 12:51 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 **1 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 **3 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.

Inspection Comments:





A handwritten signature in blue ink that reads "J. Fawcett".

James Fawcett
Code Enforcement Officer

Phone
(859) 576-3850

E-Mail Address
jfawcett@lexingtonky.gov



**SPECIAL
POWER OF ATTORNEY**

The undersigned, **TODD DEXHEIMER**, in his individual capacity and in his capacity as a Member of **CAMBRIDGE PARK APARTMENTS, LLC** and **LEXINGTON INVESTORS, LLC**, a Kentucky limited liability company (the "Company"), does hereby appoint **BRENDA HERNANDEZ** as his true and lawful attorney-in-fact. This Special Real Estate Power of Attorney shall act to revoke and annul any and all other Special Real Estate Powers of Attorney that the undersigned have previously made. The attorney-in-fact named herein shall have the following powers:

To represent and speak on behalf of Todd Dexheimer and the Company with respect to challenging fines, real estate taxation amounts, and other assessments issued by the City of Lexington, Kentucky or the County of Fayette against the real property located at **2045 Cambridge Drive, Lexington, Kentucky 40504;**

To employ legal counsel, realtors, brokers, agents, advisors, special appraisers or custodians and pay for the reasonable value of their services regarding the foregoing powers; and

To execute any and all documents, instruments, certificates, and other items necessary or appropriate and to take any and all other actions as Brenda Hernandez may deem necessary or advisable under or in connection with the foregoing powers.

The undersigned gives the named attorney-in-fact full power and authority to do and perform every act that may be necessary and proper in connection with the foregoing powers as fully as the undersigned might do if personally present, and the undersigned hereby ratifies and confirms all that the attorney-in-fact named herein, or any person(s) named by the attorney-in-fact as substitute agent, shall lawfully cause to be done by virtue hereof. This Special Real Estate Power of Attorney shall be binding on the undersigned, the Company, and their members, managers, heirs and executors and shall remain in force until April 15, 2018; shall not be revoked or terminated as to the attorney who acts in good faith under this Special Real Estate Power of Attorney; and shall not be affected by disability, incapacity, or adjudged incompetence of the undersigned.

The undersigned hereby reserve all right to do personally any act which said attorney is hereby authorized to perform.


This Special Real Estate Power of Attorney shall be governed by Kentucky law.

[Signature Page to Follow]



IN WITNESS WHEREOF, the undersigned have signed this Special Real Estate Power of Attorney on March _____, 2019.

TODD DEXHEIMER, in his individual capacity and in his capacity as a Member of **CAMBRIDGE PARK APARTMENTS, LLC**



TODD DEXHEIMER, in his individual capacity and in his capacity as a Member of **LEXINGTON INVESTORS, LLC**

STATE OF OHIO)

) SS

COUNTY OF HAMILTON)

The foregoing Special Real Estate Power of Attorney was subscribed, sworn, and acknowledged before me on March _____, 2019, by **TODD DEXHEIMER**, in his individual capacity and in his capacity as a Member of **CAMBRIDGE PARK APARTMENTS, LLC AND LEXINGTON INVESTORS, LLC**, as his/her free act and deed on his own behalf and on behalf of the Company.



NOTARY PUBLIC



DEBORAH L. KITCHING
Notary Public, State of Ohio
My Commission Expires
July 11, 2022