Lexington Fayette Urban County Government

Administrative Hearing Board Finding of Fact Form and Final Order

Date of Hearing: 03/05/2020 Hearing Officer: JON HAMPTON

Case number: 212665 Address: 240 CAMPSIE PL.

Owner: KIRTLEY W. WOLLUMS Present / Not Present

Person Representing Property Owner: Ms. Wollum & Ms. Robinson

Legal Standing:

Issuance Date of Civil Penalty: 01/27/20 Case Officer: JERRY LUCAS

☒ 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:

Lexington Fayette Urban County Government

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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 6/5/20 within which to remedy the violations to avoid the assessment of a civil penalty of $ 400. 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: If violations are resolved by 6/5/20, then penalty need not be paid.

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.**

Jon Hampton 3/5/20

Hearing Officer's Signature Date

MAYOR LINDA GORTON

LEXINGTON

ALEX "CASH" OLSZOWY
DIRECTOR
CODE ENFORCEMENT

DIVISION OF CODE ENFORCEMENT
Issuance of Citation (Housing Violation)

WOLLUMS KIRTLEY W
240 CAMPSIE PL
LEXINGTON, KY 40508-1836

Date & Time of Issuance: January 27, 2020, at 1:12 PM
Compliance Due Date: February 26, 2020
Case Number: 212665

RE: 240 CAMPSIE PL, Lexington, KY 40508

On **September 27, 2019 at 10:12 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 27, 2020 at 1:12 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 **2** 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 **4** 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:

The remaining violations are Env107 (Siding Damage) and Env108 (Siding Paint).
Please contact me if you have any questions about compliance to this notice. JLucas

MAYOR LINDA GORTON

LEXINGTON

ALEX "CASH" OLSZOWY
DIRECTOR
CODE ENFORCEMENT

Jerry B. Lucas

Jerry Lucas	Phone	E-Mail Address
Code Enforcement Officer	(859) 576-3841	jlucas@lexingtonky.gov

240 Campsie Pl

Cases

212665

Case History

August 15, 2018	Initial Inspection Logan Vanarsdale	60 Day Notice to: Kirtley Wollums 24 Violations Compliance Due Date: October 14, 2018
October 12, 2018	Reinspection	Some violations were determined to be invalid. (see case notes)
October 15, 2018	Amela Susic	60 Day Notice to: Kirtley Wollums 18 Violations Compliance Due Date: December 14, 2018
December 17, 2019	Reinspection	11 Violations Remaining
December 17, 2018	Civil Penalty Issued Thad Scott	11 Violations $300 Compliance Due Date: January 16, 2019
December 21, 2019	Appeal Requested	Requested by: Kirtly Wollums
February 20, 2019	Appeal Hearing Hearing Officer Notes	$300 civil penalty held in abayance until May 1, 2019 Complete code violations and get property re-inspected.
May 2, 2019	Reinspection	10 Violations Remaining
May 2, 2019	Civil Penalty Issued Thad Scott	10 Violations $300 Compliance Due Date: June 1, 2019
May 7, 2019	Appeal Requested	Requested by: Kirtly Wollums
June 19, 2019	Appeal Hearing Hearing Officer Notes	$300 civil penalty held in abayance until August 21, 2019. Create compliance schedule and make significant progress.
August 30, 2019	Reinspection Jerry Lucas	3 Violations Remaining 3 Violations Remaining: Gut101 (Gutters Clean), Env107/Env108 (Siding Damage/Paint) Met with owner at the property to discuss remaining violations and a compliance schedule. (see case notes)
September 3, 2019	Reinspection Jerry Lucas	2 Violations Remaining 2 Violation Remaining: Env107/Env108 (Siding Damage/Paint)

September 18, 2019	Notice of Lien Claimed	$328.00 No compliance schedule submitted as ordered by the Hearing Officer.
September 23, 2019	Reinspection Jerry Lucas	Violations Remaining 2 Violations Remaining: Env107/Env108 (Siding Damage/Paint) Contacted the owner to discuss a completion date. (see case notes)
September 24, 2019	Appeal Requested for the $328 Lein	Requested by: Kirtly Wollums (see case notes)
September 25, 2019	Unscheduled Encounter with Owner Jerry Lucas	(see case notes)
September 26, 2019	Violation Code descriptions delivered to owner Jerry Lucas	(see case notes)
September 27, 2019	Reinspection	2 Violations Remaining
September 27, 2019	Civil Penalty Issued Jerry Lucas	2 Violations $300 Compliance Due Date: October 27, 2019
October 2, 2019	Appeal Requested	Requested by: Kirtly Wollums
November 6, 2019	Reinspection	2 Violation Remaining: Env107/Env108 (Siding Damage/Paint)
November 6, 2019	Appeal Hearing	Civil pentaly upheld
January 24, 2020	Visit to Owner's Office Jerry Lucas	(see case notes)
January 27, 2020	Reinspection	2 Violations Remaining
January 27, 2020	Civil Penalty Issued Jerry Lucas	2 Violations $300 Compliance Due Date: February 26, 2020
February 3, 2020	Appeal Requested	Requested by: Kirtly Wollums
March 3, 2020	Reinspection	The back section is now complely wrapped with a synthetic underlayment.

Case Notes

9-24-19 - Mr. Woolums submitted an appeal for the lien. TC to him 396-8386, explained that he can't appeal a lien, that he didn't comply w/hearing officer so lien was recorded. He mentioned old liens from 2003 - 2008, told him those are expired and Law Dept. can release those/kmk
9-25-19. Encountered Mr. Wollums in the work place lobby, and reminded him that I still need the email requesting an extension on the completion date. JLucas
9-26-19. Delivered a copy of the violation codes (304.2 and 304.6) from the International Property Maintenance Code to Mr. Wollums at his work place. JLucas

01-24-20. Visited the property owner at his office with an attempt to inform him that the inspection was due, and to inquire about a possible compliance schedule if the work was not completed. However, the property owner immediately became argumentative, so I left his office without resolving anything. JLucas

240 Campsie Place

August 15, 2018

October 12, 2018

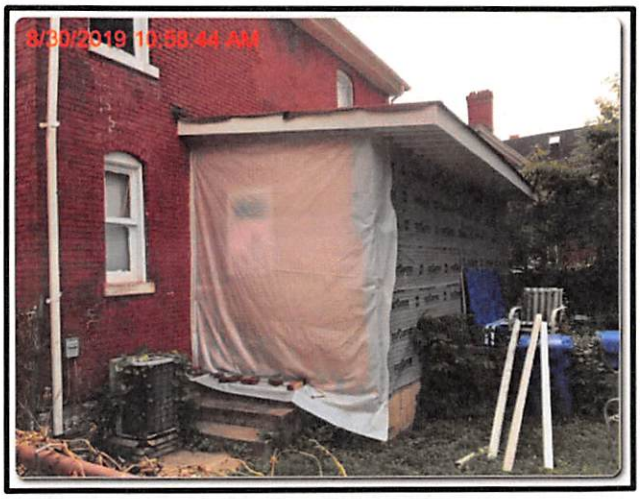
December 17, 2018

February 19, 2019

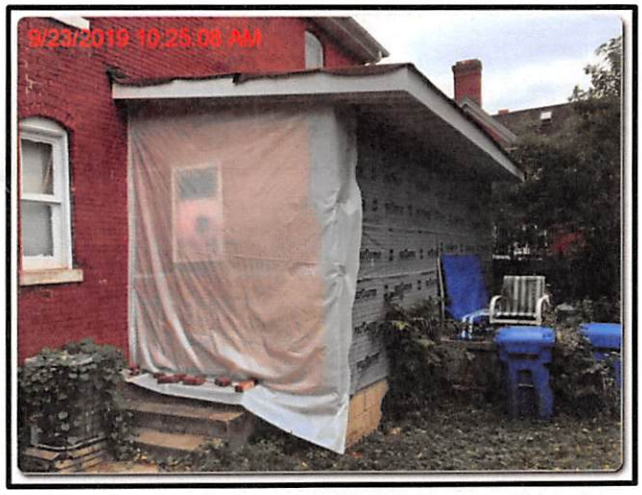
May 2, 2019

June 18, 2019

240 Campsie Place



August 30, 2019



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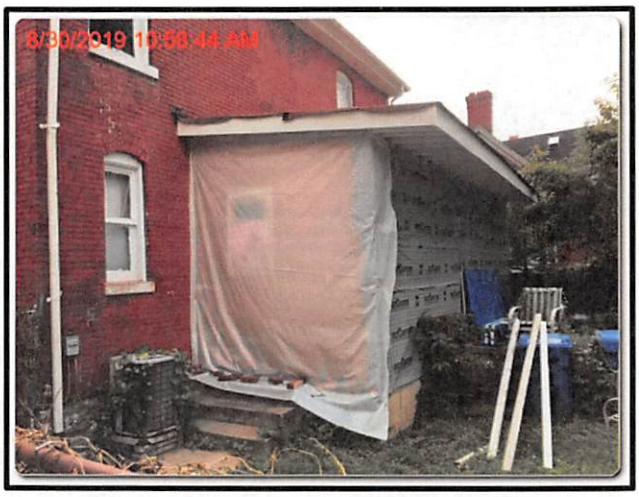

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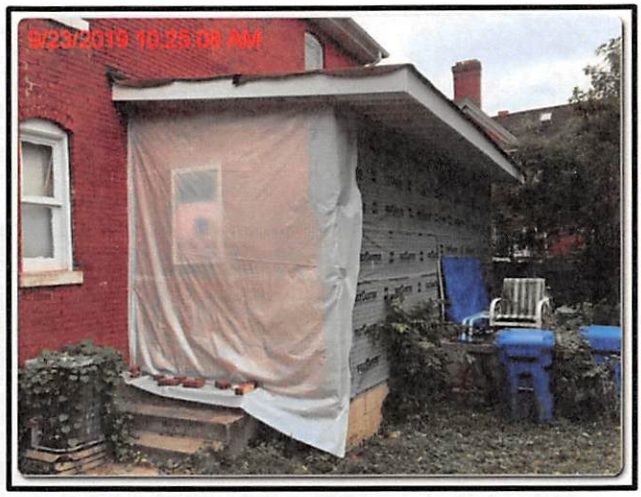

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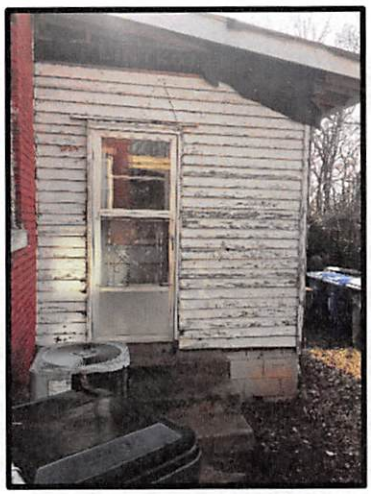

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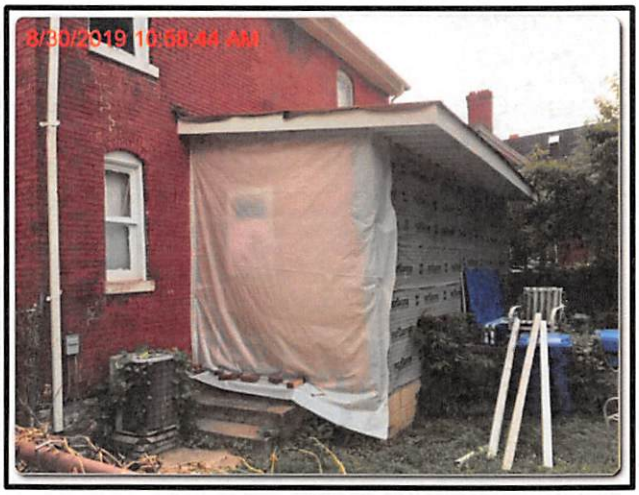

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