Lexington Fayette Urban County Government

Administrative Hearing Board Finding of Fact Form and Final Order

Date of Hearing: 09/02/2020 Hearing Officer: JIM WOMACK

Case number: 481333 Address: 3482 AKA 3468 LEESTOWN RD.

Owner: JOHNNY & THERESA GAYLE HENDRIX Present /Not Present

Person Representing Property Owner: FTA

Legal Standing:

Issuance Date of Civil Penalty: 08/10/2020 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: Per citation

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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 $ 300.00. 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 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.**

Jim Womack 9/2/2020

Hearing Officer's Signature Date

MAYOR LINDA GORTON

LEXINGTON

ALEX "CASH" OLSZOWY
DIRECTOR
CODE ENFORCEMENT

DIVISION OF CODE ENFORCEMENT
Issuance of Citation (Housing Violation)

HENDRIX JOHNNY & THERESA GAYLE
3482 LEESTOWN RD
LEXINGTON, KY 40511-8718

Date & Time of Issuance: August 10, 2020, at 8:36 AM
Compliance Due Date: September 9, 2020
Case Number: 481333

RE: 3482 LEESTOWN RD, aka 3468 LEESTOWN RD, Lexington, KY 40511

On **July 8, 2020 at 9:06 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 **August 10, 2020 at 8:36 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 **13** 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 **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.

Inspection Comments:

Please call with any questions. Please get that application filled out ASAP for grants and special programs. Thank you

Rhonda Brown

Rhonda Brown
Code Enforcement Officer

Phone
(859) 576-3847

E-Mail Address
rbrown@lexingtonky.gov