

**NOTICE OF LIEN CLAIMED**

**LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**  
**CODE ENFORCEMENT LIEN AND AFFIDAVIT FOR A CIVIL PENALTY ON THE PROPERTY**  
**LOCATED AT**

**728 N BROADWAY**

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

CLAIMANT

VS.

**TABBS HOLDINGS LLC**

OWNER(S)

ACTION TYPE: **Board-up**  
ACTION DATE: **May 8, 2019**  
ACTION COST: **\$670.00**

CASE#: 323068

COMES NOW, the undersigned Affiant, who is duly authorized to issue citations on behalf of the Lexington-Fayette Urban County Government's Division of Code Enforcement, and states the following:

1. That on or about the above "ACTION DATE", the Affiant, acting on behalf of the Lexington-Fayette Urban County Government ("LFUCG"), and pursuant to Kentucky Revised Statute (KRS) 65.8838(6) and Chapter 12 of the Code of Ordinances, Lexington-Fayette Urban County Government (the "Code"), issued a civil penalty in the amount of the above "ACTION COST", which includes any applicable administrative fee and/or cost of legal advertisement, against the OWNER(s) for the condition of real property located at

**728 N BROADWAY**

(the "Property");

2. That: (a) at all relevant times the OWNER(s) was in violation of certain provisions of the Code due to certain condition(s) on the real property; (b) the OWNER(s) was provided the required legal notice of such violation(s) in accordance with the applicable law, but failed to timely and/or satisfactorily abate and/or correct or repair them or did not otherwise comply with the requirements of the Code such that the issuance of this civil penalty was appropriate; (c) the OWNER(s) either failed to exercise his or her right to an administrative hearing as provided under the Code to contest the violations(s), or appealed said violation(s) to an administrative hearing officer, who entered an order upholding this civil penalty; and (d) this lien is consistent with the provisions of any Administrative Hearing Order that may have been issued in this matter;

3. That a lien on the Property in the principal amount of the ACTION COST is hereby noticed, asserted, and confirmed as provided in the aforementioned laws;

**HOLD**



MAYOR LINDA GORTON



**LEXINGTON**

ALEX "CASH" OLSZOWY  
DIRECTOR  
CODE ENFORCEMENT

**DIVISION OF CODE ENFORCEMENT**  
**Assessment of Emergency Abatement Costs**

**FINAL ORDER**

**Invoice Date:** May 8, 2019

**TABBS HOLDINGS LLC**  
**945 NATIONAL AVE**  
**LEXINGTON, KY 40502**

**Abatement Date:** April 24, 2019  
**Invoice Number:** I-007476  
**Case Number:** 323068

**Re: 728 N BROADWAY, C, aka 728 N BROADWAY, Lexington, KY 40508**

On **April 26, 2019, at 8:39 PM**, I conducted an inspection of the above referenced property, pursuant to Chapter 12 of the Lexington-Fayette Urban County Government Code of Ordinances.

During this inspection, I observed the existence of conditions which placed the property in violation of the Code of Ordinances and presented an imminent danger to the safety, public health, and welfare of other citizens.

Due to the emergency condition that was present and pursuant to Chapter 2B-10, of the Code of Ordinances, I took immediate action to abate this violation by having a certified/licensed contractor to abate the violation.

The purpose of this letter is to formally notify you of the above indicated action and that, as prescribed in Chapter 12 of the LFUCG Code of Ordinances, all abatement costs and related administrative fees are being billed to the owner. This document also serves as the official bill/invoice related to these actions.

Detailed Cost Invoice		
1	Boarded Up	<b>\$595.00</b>
2	Administration Fee	<b>\$75.00</b>
<b>Total Assessment</b>		<b>\$670.00</b>

\*If a vehicle has been removed from the above indicated property then the additional storage fees and the tow bill will be collected and invoiced by the contracted towing company.

**\$670.00** is due upon receipt of this Invoice. **Payment related to this invoice 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 invoice and/or documents clearly identifying the referenced property with your payment to ensure proper credit occurs.

If this invoice is not paid within 14 days following its date of issuance, 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.

The property owner may file a written appeal of this action, but must do so within 7 days of the above listed "Invoice Date". Appeals, which should indicate why the abatement cost should be dismissed, may be



filed via U.S. Mail or by delivering the request to the: 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 an abatement 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 abatement was proper.

Please contact me if you have any questions regarding this matter. 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.



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**Jody Whitaker**  
Code Enforcement Officer

**Phone**  
(859) 576-3849

**E-Mail Address**  
jwhitaker@lexingtonky.gov

