

NOTICE OF LIEN CLAIMED

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

323 NELSON AVE

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

CLAIMANT

VS.

NABIL SHALASH

OWNER(S)

ACTION TYPE: **Board-up**
ACTION DATE: **May 28, 2019**
ACTION COST: **\$200.00**

CASE#: 336037

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

323 NELSON AVE

(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

4. That pursuant to KRS 65.8835(1)(c) and KRS 65.8838(8), **this lien shall be superior to and have priority over all other liens on the property, except state, county, school board, and city taxes;**

5. That pursuant to KRS 360.010, this lien shall accrue interest at the rate of eight percent (8%) per annum from the date of recordation; and

6. That the OWNER(s) shall also be responsible for any costs or expenses incurred by the LFUCG in recording or releasing this lien plus court costs, if any, for collection until paid.

BY:



Thad Scott
Code Enforcement Supervisor

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

The foregoing instrument was subscribed, sworn to and acknowledged before me by Thad Scott, a Code Enforcement Supervisor with the Division of Code Enforcement, Lexington-Fayette Urban County Government, for and on behalf of the Government, on this the 18th day of June, 2019.
My commission expires: 02/09/2020


Notary Public
Kentucky, State-at-Large

PREPARED BY:


MEGAN J. GRIFFITH
Lexington-Fayette Urban County Government
Department of Law
200 E. Main Street
Lexington, Kentucky 40507



DIVISION OF CODE ENFORCEMENT
ASSESSMENT OF ABATEMENT COSTS
(Housing Violation)

Invoice Date: May 28, 2019

SHALASH NABIL
3209 CHERRY MEADOW PATH
LEXINGTON, KY 40509

Abatement Date: May 21, 2019
Invoice Number: I-007720
Case Number: 336037

FINAL ORDER

Re: 323 NELSON AVE, Lexington, KY 40508

On **May 8, 2019 at 2:38 PM**, you were issued a notice regarding the above referenced property. The notice required you to **board and secure** the property as required on Chapter 12 of the Lexington-Fayette Urban County Government Code of Ordinances.

Upon re-inspection of the property I determined that the property was still not in compliance and continued to present a risk to public safety. Therefore, the Lexington-Fayette Urban County Government has contracted for the **boarding and securing** of the structure by a certified/licensed contractor.

The purpose of this letter is to formally notify you of the above indicated actions 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	\$125.00
2	Administration Fee	\$75.00
Total Assessment		\$200.00

*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.

The **\$200.00** is based on the cost of **boarding and securing** of the property by the contractor and the placement of an administrative fee in the amount of **\$75.00**

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 insure 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.



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.

Thad Scott

Thad Scott
Code Enforcement Supervisor

Phone
(859) 576-3852

E-Mail Address
tscott@lexingtonky.gov

