

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

Date of Hearing: 07/16/2019

Hearing Officer: GERALD ROSS

Case number: 320736

Address: 433 E. SIXTH ST.

Owner: NAZIR H. SHALASH

Present Not Present

Person Representing Property Owner: \_\_\_\_\_

Adnan Shalash

Legal Standing: P.O.A

Issuance Date of Civil Penalty: 06/12/2019

Case Officer: THAD SCOTT

Housing with \$ 500.00 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: 23 original;  
21 remaining - Note - Problem Tenant - has been  
evicted

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**Conclusions of Law**

The civil penalty is:

Upheld

Dismissed

Other

Notes: Fine held in abeyance

**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 Aug 15, 2019 within which to remedy the violations to avoid the assessment of a civil penalty of \$ 500<sup>00</sup>. 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.**

Gerald Ross  
Hearing Officer's Signature

7/16/19  
Date

**DIVISION OF CODE ENFORCEMENT**  
**Issuance of Citation (Housing Violation)****SHALASH NAZIR H**  
**433 E SIXTH ST**  
**LEXINGTON, KY 40508****Date & Time of Issuance:** June 12, 2019, at 10:09 AM  
**Compliance Due Date:** July 12, 2019  
**Case Number:** 320736**RE: 433 E SIXTH ST, 4, aka 433 E SIXTH ST, Lexington, KY 40508**

On **April 5, 2019 at 3:43 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 **June 12, 2019 at 10:09 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 **21** 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 \$500.** 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:**

Repairs from original notice have not been completed. Additional time was granted due to condemnation.





*Thad Scott*

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**Thad Scott**

Code Enforcement Supervisor

**Phone**

(859) 576-3852

**E-Mail Address**

tscott@lexingtonky.gov







AOC-217 Doc. Code: JPF or  
 Rev. 3-12 JDF  
 Page 1 of 1  
 Commonwealth of Kentucky  
 Court of Justice www.courts.ky.gov  
 KRS 383.240



**FORCIBLE DETAINER  
 JUDGMENT**

Case No. 19-C-02664  
 Court \_\_\_\_\_ District \_\_\_\_\_  
 County Fayette  
 Division District

SHALASH, ADNAN / FOX DEN PROPERTY LLC

PLAINTIFF

v.

OLIVER, SHANNON

DEFENDANT(S)

This cause coming on for hearing and all parties being properly before the Court. The Court, having heard evidence and argument, and the Court being otherwise sufficiently advised, IT IS HEREBY ORDERED AND ADJUDGED AS FOLLOWS:

That the Defendant(s) are guilty of forcible detainer as charged and that the Plaintiff have restitution of the premises located in Fayette county at:


433 E. SIXTH ST. UNIT #4  
LEXINGTON KY 40508

Defendant(s) are ordered to vacate said property within 7 (seven) days of the entry of this Judgment.

The Court further awards to the Plaintiff costs of this action.

If a Forcible Detainer Settlement Agreement (AOC-218) has been executed and Filed of record by the parties, said terms are hereby incorporated herein and all parties shall comply with same.

**EITHER PARTY MAY FILE AN APPEAL WITHIN 7 (SEVEN) DAYS OF THE ENTRY OF THIS JUDGMENT.**

Date: May 2, 2019  Judge

Distribution: File  
 Plaintiff  
 Defendant

ENTERED  
 ATTEST, VINCENT RIGGS, CLERK  
 MAY - 2 2019  
 FAYETTE CIRCUIT CLERK  
 BY \_\_\_\_\_ DEPUTY

To Whom It May Concern

July 16, 2019

I Nazie H Shalash do give all power of attorney over my property located at 433 E Sixth Street #1, #2, #3, #4, #5 Lexington ky, to Adnan Shalash for him to take care of this property accepting rent and maintaining maintenace issues and code enforcement. If it says


multiple then here is a list of properties.

433 E Sixth St. #1  
433 E Sixth St. #2  
433 E Sixth St. #3

433 E Sixth Street #4  
433 E Sixth Street #5

Thank You.

Signed before me this 16<sup>th</sup> day of July, 2019; Nazie H. Shalash has agreed to allow Adnan Shalash to take care of said properties until further notice.

Notorized by  This 16<sup>th</sup> day of July 2019.  
Notory ID# 552767