

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

Date of Hearing: 11/06/2019

Hearing Officer: JON HAMPTON

Case number: 212665

Address: 240 CAMPSIE PL.

Owner: KIRTLEY W. WOLLUMS

Present / Not Present

Person Representing Property Owner: Self

Legal Standing: _____

Issuance Date of Civil Penalty: 09/27/2019

Case Officer: JERRY LUCAS

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: _____

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Conclusions of Law

The civil penalty is:

Upheld

Dismissed

Other

Notes: Evidence in record of violations; no relevant evidence submitted in defense.

Civil Penalty Assessed

1) Appellant is assessed a civil penalty of \$ 300. 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 Statute 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
Hearing Officer's Signature

11/6/19
Date

**DIVISION OF CODE ENFORCEMENT**
Issuance of Citation (Housing Violation)**WOLLUMS KIRTLEY W
240 CAMPSIE PL
LEXINGTON, KY 40508-1836****Date & Time of Issuance:** September 27, 2019, at 10:12 AM
Compliance Due Date: October 27, 2019
Case Number: 212665**RE: 240 CAMPSIE PL, Lexington, KY 40508**

On **May 2, 2019 at 9:56 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 **September 27, 2019 at 10:12 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 **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 \$300.** Our records indicate you have received **3 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:

Remaining violations:
Env107 - Siding Damage
Env107 - Siding Paint





Jerry B. Lucas

Jerry Lucas
Code Enforcement Officer

Phone
(859) 576-3841

E-Mail Address
jlucas@lexingtonky.gov



240 Campsie Pl

Cases

212665



Case History

August 15, 2018	Initial Inspection	60 Day Notice to: Kirtley Wollums
	Logan Vanarsdale	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	11 Violations
	Thad Scott	\$300
		Compliance Due Date: January 16, 2019
December 21, 2019	Appeal Requested	Requested by: Kirtly Wollums
February 20, 2019	Appeal Hearing	\$300 civil penalty held in abeyance until May 1, 2019
	Hearing Officer Notes	Complete code violations and get property re-inspected.
May 2, 2019	Reinspection	10 Violations Remaining
May 2, 2019	Civil Penalty Issued	10 Violations
	Thad Scott	\$300
		Compliance Due Date: June 1, 2019
May 7, 2019	Appeal Requested	Requested by: Kirtly Wollums
June 19, 2019	Appeal Hearing	\$300 civil penalty held in abeyance until August 21, 2019.
	Hearing Officer Notes	Create compliance schedule and make significant progress.

August 30, 2019	Reinspection	3 Violations Remaining
	Jerry Lucas	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	2 Violations Remaining
	Jerry Lucas	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 Hear Officer.
September 23, 2019	Reinspection	Violations Remaining
	Jerry Lucas	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	(see case notes)
	Jerry Lucas	
September 26, 2019	Violation Code descriptions delivered to owner	(see case notes)
	Jerry Lucas	
September 27, 2019	Reinspection	2 Violations Remaining
September 27, 2019	Civil Penalty Issued	2 Violations
	Jerry Lucas	\$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)

Case Notes

✓ Case Description

Description Summary

Appealed - Housing violations.

Details

Property re-inspected on 10-12-2018 and work was in progress. Some items or violations from original notice and order were invalid. A new notice and order with additional time frame is being issued for this re-inspection in the amount of 60 days. Please submit a compliance schedule if more time will be needed, however this is the final extension granted at this time. If no further repairs have been performed and a compliance schedule is not submitted and approved by compliance date, a civil penalty may be imposed.

Appealed-- Hearing officer put \$ 300.00 citation in abeyance until 5-1-19. T Scott

5-2-19 repairs have not been completed upon inspection.

6-19-19 Put into abeyance until 8-21-19. T Scott

8-30-19. Reinspection. All violations completed except for siding damaged/paint, and gutters cleaned. Contacted the owner concerning a compliance schedule. Met with owner at the property to discuss remaining violations. He stated he would clean the gutters within the next week, and it may take another month to finish the siding. He was offered to complete a compliance schedule, but he refused to complete and submit one. JLucas

9-03-19. Reinspection. Gutter have been cleaned and are in compliance. Reinspect on September 17, 2019.

JLucas

9-23-19. Reinspection. Remaining violations (Env107, Env108) not resolved. Contacted owner to get completion date. He verbally gave October 23 as completion date. At my request, he agreed to send me an email requesting that date so that I can submit for approval from my supervisor. He also mentioned that he will be requesting a meeting with me, my supervisor and director. JLucas

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

9-27-19. Re-inspection. All violations resolved except Env107 and Env108. Mr. Wollums did not submit the formal request for additional time to complete. Issued civil penalty for the remaining 2 violations. JLucas

240 Campsie Place



August 15, 2018



October 12, 2018



December 17, 2018



February 19, 2019



May 2, 2019

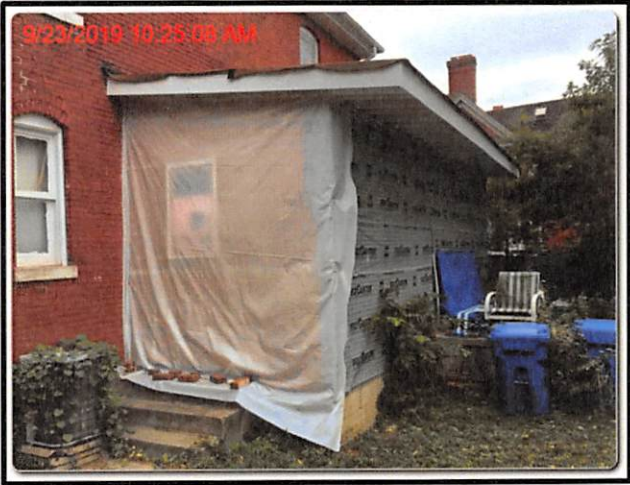


June 18, 2019

240 Campsie Place



August 30, 2019



September 23, 2019



September 27, 2019



November 6, 2019