

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

Date of Hearing: 10/13/2022 Hearing Officer: JOE BUCKLES

Case number: 833949 Address: 212 WILTON AVE.

Owner: REALTY UNLIMITED BLUEGRASS LLC Present / Not Present

Person Representing Property Owner: Matt Michiand, member  
Legal Standing: owner

Issuance Date of Notice: 08/24/2022 Case Officer: MICHAEL HAUSERMAN

Housing with \$ 325.00 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: \_\_\_\_\_

No dispute between the parties,  
property not up to code

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Address: 212 WILTON AVE.

**Conclusions of Law**

The civil penalty is:

**Upheld**

**Dismissed**

**Other**

Notes: \_\_\_\_\_  
\_\_\_\_\_

**Civil Penalty Assessed**

1) Appellant is assessed a civil penalty of \$ 325<sup>00</sup>. 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.**

  
\_\_\_\_\_  
Hearing Officer's Signature

10/13/2022  
\_\_\_\_\_  
Date



**DIVISION OF CODE ENFORCEMENT**  
**Issuance of Citation (Housing Violation)**

**REALTY UNLIMITED BLUEGRASS LLC  
PO BOX 910470  
LEXINGTON, KY 40591**

**Date & Time of Issuance: August 24, 2022, at 1:07 PM  
Compliance Due Date: September 23, 2022  
Case Number: 833949**

**RE: 212 WILTON AVE, Lexington, KY 40508**

On **July 12, 2022 at 8:26 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 24, 2022 at 1:07 PM**, 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 **11 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 \$325. This amount includes a \$25.00 Administrative fee.** 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 contact me with any questions or concerns. Schedule a compliance inspection when violations are corrected.





A handwritten signature in blue ink, appearing to read "Michael Hauserman".

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**Michael Hauserman**  
Code Enforcement Officer

**Phone**  
(859) 285-1793

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



Commonwealth of Kentucky  
Court of Justice www.kycourts.gov  
KRS 383.210



**EVICITION NOTICE:  
NOTICE OF EVICTION HEARING  
TRIAL BY THE COURT**

Case No. 22-c-5387  
Court District  
County Fayette  
Division \_\_\_\_\_

REALTY UNLIMITED BLUE GRASS, LLC  
VS.  
JERRI D GARVIN

PLAINTIFF  
DEFENDANT

Defendant's Address: 212 Wilton Avenue  
Lexington, KY 40508

Plaintiff's Attorney: Charles J. Lisle  
Address: PO Box 2184  
Lexington, KY 40588

**THE COMMONWEALTH OF KENTUCKY To the Sheriff (or any Constable):**

The Plaintiff has filed a complaint in this Court claiming the Defendant on the 15 day of July, 2022, forcibly detained and now forcibly detains from Plaintiff the above-described property which the Defendant, tenant of Plaintiff, now holds against Plaintiff.

**YOU ARE THEREFORE**, in the name of the Commonwealth of Kentucky, **commanded to summon Defendant tenant to appear on the Trial Date** shown below to inquire into the forcible detainer complained of and to give to Defendant at least three (3) days notice of the time and place of trial, and to make return of service at or before the time of trial.

Date: 9, September, 2022 Vincent Rife Clerk  
By: [Signature] D.C.

**TO THE TENANT:** Your landlord has filed an eviction notice against you in this Court, claiming you are not entitled to remain on the premises. A trial will be held SEP 29 2022, at the time of 9:30 a.m. [ ] p.m. at (location) Fayette District Court Courtroom #5 third floor, (address) 150 N Limestone St Lexington Ky 40507, to determine whether you will be evicted. If you have reasons for why you should not be evicted, you MUST APPEAR in Court to explain your reasons at this time. **If you will need an interpreter at your court appearance, please contact the Court listed above as soon as possible.**  
**THIS IS AN IMPORTANT PAPER. TAKE IT TO YOUR LAWYER IMMEDIATELY.**

**PROOF OF SERVICE**

A copy of this Eviction Notice was:  
[ ] served by delivering same personally to the Defendant.  
[ ] served and explained to \_\_\_\_\_, age \_\_\_\_\_, who is the Defendant's (Relationship) \_\_\_\_\_; after Defendant could not be found.  
[ ] posted in a conspicuous place on the Defendant's premises on this date and mailed same to the above address by regular mail through the U.S. Postal Service, postage prepaid on the \_\_\_\_ day of \_\_\_\_ Neither Defendant, nor a member of his/her family, could be found.

Date: \_\_\_\_\_ Served by: \_\_\_\_\_  
Sheriff's Office of \_\_\_\_\_





**FORCIBLE DETAINER  
COMPLAINT**

Case No. 22-C-5387  
Court District  
County Fayette  
Division \_\_\_\_\_

Provide Name and Address for both Plaintiff (Landlord) and Defendant (Tenant)

LANDLORD/PLAINTIFF

Name: REALTY UNLIMITED BLUEGRASS LLC  
Address: PO Box 910470, Lexington, KY 40591

VS.

Name: JERRI D GARVIN  
Address: 212 Wilton Avenue, Lexington, KY 40508

FILED  
ATTEST: VINCENT RIGGS, CLERK  
SEP 09 2022  
FAYETTE CIRCUIT CLERK  
BY \_\_\_\_\_ DEPUTY

TENANT/DEFENDANT

Comes the Plaintiff and for his/her complaint states that:

- On the 24th day of June, 2020, Defendant(s) contracted to lease residential dwelling and lot located at 212 Wilton Avenue, Lexington, KY 40508 under a  written OR  oral lease with Plaintiff as lessor;
- Under the lease terms, Defendant(s) agreed to pay \$750.00 per  day  week  month, payable on the 1st day of each  week  month  year as rent;
- Defendant(s) has/have breached the lease by not paying rent for the  day  week  month  year of January - September 2022 in the amount(s) of \$6,750.00 and has/have not paid late fee for the  day  week  month  year of January - September 2022 in the amounts of \$450.00.
- As of September 8, 2022 the total amount of back rent and late fee(s) owed to the Plaintiff from the Defendant(s) <sup>date</sup> is: \$ 7,200.00.
- Defendant(s) has/have breached the lease because of the following:  
failure to pay rent when due
- Plaintiff gave Defendant(s) written notice to vacate on June 1, 2022. Defendant(s) has/have not vacated.

WHEREFORE, Plaintiff alleges Defendant(s) unlawfully and forcibly detain the premises, and demand(s) possession of the premises be delivered to Plaintiff, as well as any and all other relief to which he/she may be entitled. I hereby certify I am the owner/attorney of the above-named property.

Charles J. Lisle

Landlord/Attorney Signature

859-252-6100

Phone Number

Charles J. Lisle, Attorney for Plaintiff

Landlord/Attorney Name (Please Print)

PO Box 2184, Lexington, KY 40588

Landlord/Attorney Address

Subscribed and sworn to before me this 8 day of September, 2022. My commission expires: 23 March, 2024.

Jelle G. Ginnery  
Signature

State at large Title

01/22