

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

Date of Hearing: 08/21/2024 Hearing Officer: Joe Buckles
~~JIM WOMACK~~

Case number: 1022353 Address: 3542 WINTHROP DR.

Owner: JUSTIN J. & LORIE SHAY ARAMBASICK Present ~~Not Present~~

Person Representing Property Owner: Lexington Rental Homes
Legal Standing: POA

Issuance Date of Notice: 07/16/2024 Case Officer: GERRY HAMILTON

- Housing with \$ _____ Civil Penalty Amount
- Nuisance with \$ _____ Civil Penalty Amount
- Sidewalk with \$ 525.00 Civil Penalty Amount
- Emergency Abatement _____ Nuisance Housing
- Other: _____ \$ _____ Civil Penalty Amount

Findings of Fact:

X 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: _____

X A violation(s) of the Ordinance was committed. To Wit: _____
Sidewalk

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Conclusions of Law

The civil penalty is:

Upheld

Dismissed

Other

Notes: _____

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 9/4/2024 within which to remedy the violations to avoid the assessment of a civil penalty of \$ 525.00. 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

8/21/2024
Date



DIVISION OF CODE ENFORCEMENT
Issuance of Citation (Sidewalk Violation)

**ARAMBASICK JUSTIN J AND LORIE SHAY
3542 WINTHROP DR
LEXINGTON, KY 40503**

**Date & Time of Issuance: July 16, 2024, at 9:05 AM
Compliance Due Date: August 15, 2024
Case Number: 1022353**

RE: 3542 WINTHROP DR, Lexington, KY 40503

On **June 10, 2024 at 9:37 AM**, the above referenced property was placed under a Notice of Violation regarding required replacement and/or repair to an adjacent sidewalk pursuant to Chapter 17-147 of the Lexington-Fayette Urban County Government Code of Ordinances.

On **July 16, 2024 at 9:05 AM**, I conducted a re-inspection of the property and found that the sidewalk was still not in compliance. The purpose of this document is to formally notify you that due to the continued non-compliance during the above indicated "Date of Issuance"; you are being issued a citation. As established in Chapter 17 of the Code of Ordinances you have been issued a citation in the amount of **\$525**. This amount is based on Chapter 17-152 of the Lexington-Fayette Urban County Government Code of Ordinances which states the owner, "may be assessed a civil penalty of ten dollars (\$10.00) per square foot of unrepaired sidewalk panel, up to a maximum civil penalty of five hundred dollars (\$500.00). **This amount includes a \$25.00 Administrative fee. (64 Square Footage in Violation.)**

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 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 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.

As outlined in Chapter 17 of the Code of Ordinances, if the cited replacement/repair is not completed and the property is not brought into compliance before the above indicated "Compliance Due Date", additional penalties 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:

You are being issued a civil penalty because you have not fixed the sidewalk.



MAYOR LINDA GORTON



LEXINGTON

OLIVER LEE STEELE
DIRECTOR
CODE ENFORCEMENT

Gerry Hamilton

Gerry Hamilton
Nuisance Control Officer

Phone
(859) 576-3845

E-Mail Address
ghamilto@lexingtonky.gov



LIMITED POWER OF ATTORNEY

That I, Lore Shay Arambasek do hereby make, constitute and appoint Jonathan Valentin and any other designate employee of LEXINGTON RENTAL HOMES of KY INC, 505 Wellington Way, Ste. 175-B, Lexington, Kentucky 40503, as my true and lawful Attorney - in - Fact, to act in my place and stead to file forcible detainer and small claims actions, Code enforcement appeal hearings and attend district and circuit court proceedings represent my interests in these matters, and to proceed with all collections activity including filing lawsuits and attending related court and other proceedings relating to the real property known as 3542 Winthrop Dr, Lexington, Fayette County, Kentucky ("the Real Property"). Any of the persons designated herein may act alone as my Attorney-in-Fact.

Said Attorney-in-Fact is authorized on my behalf to execute all necessary documents in my name and execute any and all other documents pertaining to any forcible detainer matters, evictions and collections actions involving my Real Property.

My said Attorney-in-Fact is authorized to do any and all things pertaining to the matters and actions described above involving the Real Property and the management of it the same as I might do if I was personally present and acting.

The Power of Attorney shall not be affected by my subsequent disability or incapacity, or lapse of time, and it shall remain in full force and effect in all events.

WITNESS our hands this 25 day of 7, 2024
Lore Shay Arambasek

STATE OF KENTUCKY

COUNTY OF FAYETTE

The foregoing Limited Power of Attorney was subscribed, sworn to, and acknowledged before me by Paris Todd this 25 day of July, 2024.

My commission expires: 1/15/2025

Paris Todd
NOTARY PUBLIC,
KENTUCKY, STATE AT LARGE