

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

Date of Hearing: 10/16/2024

Hearing Officer: JIM WOMACK

Case number: 1196101

Address: 282 ROSE ST.

Owner: MARY KHAYAT

Present /Not Present

Person Representing Property Owner: Jord Khayat
Legal Standing: POA

Issuance Date of Notice: 07/31/2024

Case Officer: DAVID SPRINGSTON

Housing with \$ \$125.00 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: _____

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 Dec 15, 2024 within which to remedy the violations to avoid the assessment of a civil penalty of \$ 725.⁰⁰. 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: Immediate electrical

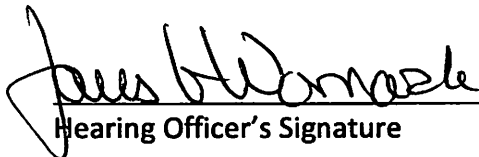
inspection; allow access in basement den; follow-up
inspector for smoke detectors; consistent communication
with inspector

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

10/16/24
Date



DIVISION OF CODE ENFORCEMENT
Issuance of Citation (Housing Violation)

KHAYAT MARY
508 LAKESHORE DR
LEXINGTON, KY 40502

Date & Time of Issuance: July 31, 2024, at 9:31 AM
Compliance Due Date: August 7, 2024
Case Number: 1196101

RE: 282 ROSE ST, Lexington, KY 40508

On **July 12, 2024 at 11:39 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 **July 31, 2024 at 9:31 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 **4 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 \$125. 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:

No smoke detector in the common area basement where the main electrical panels are located for each unit. Exposed electrical wires throughout basement area causing a fire hazard and a possible collapse hazard due to broken floor joists and beams being held up by temporary shoring. Shoring





will need an engineer to verify sound construction techniques. A citation is warranted with an immediate 7 day repair before further enforcement action is taken.

A handwritten signature in black ink, appearing to read 'David Springston'.

David Springston
Code Enforcement Officer

Phone
(859) 576-3836

E-Mail Address
dspringston@lexingtonky.gov



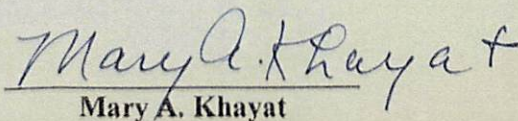
I, Mary A. Khayat, bearer of USA passport No. A36254077

Hereby appoint and empower my son, Fred Khayat as my representative and empower him to perform in my name and stead the following activities, all or part thereof:

1. Manage my property, 282 rose Street, Lexington KY 40508. The power of Attorney will include all action relevant to the management of the property and will allow Fred Khayat to sell, transfer, rent, lease in the framework of a long-term lease, lien. To receive the aforementioned property by way of sale for consideration or without consideration, by way of a long-term lease or rental, or in any other manner, and for this purpose to sign all the necessary applications, deeds and documents.
2. To redeem, correct, cancel, transfer, undertake or agree to transfer any mortgage, rental, long-term lease, sub-rental, sub-long-term lease, which applies to the aforementioned property or part thereof, in whole or in part, to agree to the registration of a lien against the aforementioned property and to delay operations therein, to sign in our name applications for registration of a caveat and/or registration of a caveat in favor of the aforementioned third party and/or in favor of the bank providing the loan to the buyer in order to purchase the property and to renew and/or strike out and/or cancel caveats as aforementioned.
3. To renew registration in the land registers in regard to the aforementioned property, to register an inheritance in regard to the aforementioned property or part thereof, to amend all types of records in regard to the aforementioned property, to request and carry out a division, separation, parcellation, consolidation, combination and in general, any transaction and registration in the land registers regarding the aforementioned property or part thereof, as well as any action in the aforementioned property.
4. To claim division, eviction, possession, removal of an attachment, payment of rent, long-term lease fees and all types of rights and amendments regarding the aforementioned property, to oppose parcellation, division, separation, a tax assessment and all types of claims or demands regarding the aforementioned property, to waive rights and liens related to the aforementioned property, to compromise and enter into all types of agreements in matters relating to the aforementioned property.
5. To also represent the third party in this transaction, except for legal proceedings between the parties.
7. Transfer this power of attorney in its entirety or in part to another or others.

Wherefore, I have set my hand:

Today the 1st of the month of April, 2024


Mary A. Khayat
Mary A. Khayat