

HENDERSON COUNTY
CODE ENFORCEMENT BOARD
DEFAULT ORDER

Issued to:

JAMES E & KARYN FRANKS
826 LAMONT LN
HENDERSON, KY 42420

Citation No: HC2022-36

Date of Issuance: 1/6/2023

Physical Address of Property: 580 Lovers Lane #10, Henderson, KY 42420

Date and Time Violation Noted: 1/5/2023 at 2:20PM

WHEREAS, a Citation for Violation of the Henderson County Nuisances and Unsafe Structures Ordinance as adopted by Henderson County Fiscal Court was served upon the above-named owner(s) and/or occupier(s) of the above listed property on January 6, 2023 for the following violation(s):

Section 176-6 Unsafe Structure and Unfit Structure, 176-8 Public Nuisance,

Facts Constituting the Offense:

The manufactured home/mobile home is unsafe and unfit for human habitation and occupancy due to the home being in disrepair and is badly damaged and decayed and is structurally unsafe and pose a risk of partial or complete collapse. The roof is leaking in numerous places which has caused the ceiling, roof and floors to weaken and fail and become unsafe. The leaks have also leaked into light fixtures and onto wiring in the home causing it to be a fire hazard. There are holes in floors where daylight can be seen coming in. The plumbing is inadequate and leaking. The hot water heater and HVAC system is also faulty and inadequate and may be unsafe. This structure cannot be occupied or used and must be razed and removed.

The Respondents, JAMES E & KARYN FRANKS, having failed to appeal the citation to the Code Enforcement Board within seven (7) days of the date of the Citation; and thus having waived their right to appeal this matter to the Code Enforcement Board or the Henderson District Court.


IT IS HEREBY ORDERED that the above-named owner(s) and/or occupier(s) of the listed property are hereby fined the amount of \$175.00 [PAID ON 1/23/2023] and Citation HC2022-36 is hereby adopted

and incorporated herein pursuant to the Henderson County Nuisances and Unsafe Structures Ordinance 21-13 Section 13-36(7).

If unpaid, said fine shall continue to be a lien against the property for ten (10) years from the date of lien recordation, or unless the full lien amount is paid, including any and all costs associated with the enforcement and entry of this order, and any and all abatement costs which may be expended by the County to remedy the nuisance; and shall bear interest at the statutory rate until paid in full.

 Date: 1/23/2023
Donnie Beal
Code Enforcement Board Chairman

This Instrument Prepared By:


Jeff Ellis, Code Enforcement Board Sec.
Henderson County Fiscal Court
20 N. Main Street, Ste. 201
Henderson, KY 42420
PH: (270) 631-0000 EXT. 1228
Email: jellis@hendersonky.us

NOTE: Even if you have already paid this citation, this default order is required to be entered pursuant to statute. Payment of the citation does not bring the property into compliance or release you from other unpaid citations, assessments or liens, if any. The cited property is required to comply with all applicable codes, ordinances and statutes, and is subject to all remedies authorized by law, including, but not limited to, additional fines, abatements costs and court actions.

Our records indicate that you paid this citation on January 13, 2023. A lien for abatement costs may be filed, if applicable.

**HENDERSON COUNTY CODES DEPARTMENT
RANDY TASA – CODES ADMINISTRATOR
1990 BARRETT CT., SUITE H
(270) 827-6030**

**CITATION
CONDEMNATION**

Issued to:

James E & Karyn F Franks
826 Lamont Ln
Henderson, KY 42420

Citation No: HC2022-36
Date of Issuance: 1/6/2023

Physical Address of Property: 580 Lovers Lane #10, Henderson, KY 42420

Date and Time Violation Noted: 1/5/2023 at 2:20PM

On the date and time noted above, the property at 580 Lovers Lane #10 was found to be in violation of one or more sections of the Henderson County Nuisances and Unsafe Structures Ordinance as adopted by Henderson County Fiscal Court as described below:

Violation(s):

Section 176-6 Unsafe Structure and Unfit Structure, 176-8 Public Nuisance

Facts Constituting the Offense(s):

The manufactured home/mobile home is unsafe and unfit for human habitation and occupancy due to the home being in disrepair and is badly damaged and decayed and is structurally unsafe and pose a risk of partial or complete collapse. The roof is leaking in numerous places which has caused the ceiling, roof and floors to weaken and fail and become unsafe. The leaks have also leaked into light fixtures and onto wiring in the home causing it to be a fire hazard. There are holes in floors where daylight can be seen coming in. The plumbing is inadequate and leaking. The hot water heater and HVAC system is also faulty and inadequate and may be unsafe. This structure cannot be occupied or used and must be razed and removed.

Total of fines: \$175.00

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CONDEMNATION

Civil Fines:

- (a) Uncontested- If the citation of the violation noted above is not contested, the penalties set forth are as follows in Offense/Fine schedule below.
- (b) Contested- If the citation of the violation noted above is contested and a hearing before the Henderson County Code Enforcement Board is required, the maximum penalties set forth are as follows in Offense/Fine schedule below.

VIOLATION (Uncontested)	1 st Offense	2 nd Offense	All Others
§176-6	\$125.00	\$150.00	\$200.00
§176-7	\$125.00	\$150.00	\$200.00
§176-8	\$50.00	\$100.00	\$150.00
§176-9	\$30.00	\$60.00	\$100.00
§176-10	\$30.00	\$60.00	\$100.00
§176-11	\$50.00	\$100.00	\$200.00
§176-12	\$30.00	\$60.00	\$100.00
§176-13	\$50.00 (plus \$5 per acre)	\$75.00 (plus \$5 per acre)	\$100.00 (plus \$5 per acre)
§176-14	\$50.00	\$100.00	\$200.00

VIOLATION (Contested)	1 st Offense	2 nd Offense	All Others
§176-6	\$200.00	\$225.00	\$300.00
§176-7	\$200.00	\$225.00	\$300.00
§176-8	\$100.00	\$150.00	\$200.00
§176-9	\$30.00	\$60.00	\$100.00
§176-10	\$30.00	\$60.00	\$100.00

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 CONDEMNATION**

§176-11	\$50.00	\$100.00	\$250.00
§176-12	\$30.00	\$60.00	\$100.00
§176-13	\$50.00 (plus \$5 per acre)	\$75.00 (plus \$5 per acre)	\$150.00 (plus \$5 per acre)
§176-14	\$50.00	\$100.00	\$250.00

Unless the citation is contested, all fines shall be paid in full to Henderson County within seven (7) days of the date of issuance, either in person or by mail to the office of Henderson County Fiscal Court located at 20 N. Main Street, Henderson, KY 42420.
Include a copy of the citation with payment of fines.

TOTAL OF FINES: \$175.00

Procedure to Contest the Citation:

The person to whom the citation is issued has the right to request, in writing, a hearing to contest the citation within seven (7) days of the date of issuance. The request for a hearing shall be submitted to the office of Henderson County Codes Department at 1990 Barret Court, Suite H, Henderson, KY 42420.

If you choose to contest the citation, a hearing will be held on January 23rd at 4pm in the Fiscal Court Room at 20 North Main Street, Henderson, KY 42420 on the **third floor.**

Failure to Respond:

If the person to whom the citation is issued fails to respond to the citation within seven (7) days, the person shall be deemed to have waived the right to a hearing and the determination that a violation was committed shall be considered final. In this event, the citation, as issued, shall be deemed a final order determining that the violation was committed and imposing the civil fine as set forth in the citation, and the person shall be deemed to have waived the right to appeal the final order to Henderson District Court.

HENDERSON COUNTY CODES DEPARTMENT
RANDY TASA – CODES ADMINISTRATOR
1990 BARRETT CT., SUITE H
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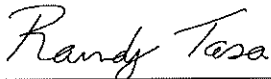
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CONDEMNATION

Authority to Abate:

The code enforcement officer has the authority to abate any and all deficiencies contained in the citation with all charges and fees incurred by the County in connection with the enforcement of the ordinance billed to the owner.

Section 13-44 Transfer of ownership:

It shall be unlawful for the owner of any dwelling unit or structure who has received a notice of violation, or upon whom a citation or final order has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the notice of violation, citation or final order have been complied with, or until such owner or the owner's authorized agent shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any notice of violation, citation or final order issued by the code enforcement officer and shall furnish to the code enforcement officer a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such notice of violation, citation or final order and fully accepting the responsibility without condition for making the corrections or repairs required by such notice of violation, citation or final order.



Randy Tasa, Henderson County Codes Administrator