

Office of Administrative Hearings for Baltimore County
105 West Chesapeake Avenue Suite 103
Towson, Maryland 21204

In the Matter of

Civil Citation No. 86577

Urban P. Hohman, Jr.

5512 Ashbourne Road

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE ADMINISTRATIVE LAW JUDGE

This matter came before the Administrative Law Judge on June 13, 2012, for a Hearing on a citation for violations of the Baltimore County Code (BCC) sections 35-6-105 Article 35, Title 6, 2003: failure to obtain a rental housing license for the property located at 5512 Ashbourne Road.

On May 22, 2012, pursuant to § 3-6-205, Baltimore County Code Inspector Kathleen O'Donnell issued a Code Enforcement citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files. The citation proposed a civil penalty of \$1,000.00 (one thousand dollars).

The following persons appeared for the Hearing and testified: Margaret Wilkenson, Respondent and Power of Attorney for owner of the property and Kathleen O'Donnell, Baltimore County Code Enforcement Officer.

Testimony was presented that this property had been the subject of a case for non registration in 2011, in which a Failure To Appear was entered on August 9, 2011 and a \$1000.00 fine was imposed and subsequently paid. The property is still not properly registered and another Citation was issued on 5/22/12, mailed and posted. The Respondent testified that she is the Personal Representative for the listed owner. She stated that she has attempted to complete the registration process, including the connection of smoke detectors. She is awaiting a re-inspection for the detectors and must also have the required lead paint evaluation and inspection.

Having heard the testimony and evidence presented at the Hearing:

IT IS ORDERED by the Administrative Law Judge that a civil penalty be imposed in the amount of \$1,000.00 (one thousand dollars).

IT IS FURTHER ORDERED that the \$1,000.00 civil penalty be suspended in full.

IT IS FURTHER ORDERED that the remaining \$1,000.00 civil penalty will be imposed if the property is not brought into compliance by July 13, 2012.

IT IS FURTHER ORDERED that the remaining \$1,000.00 civil penalty will be imposed if there is a subsequent finding against the Respondent for the same violation.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 19 day of June 2012

Signed: _____
Lawrence M. Stahl
Managing Administrative Law Judge

NOTICE TO RESPONDENT: Pursuant to §3-6-301(a) of the Baltimore County Code, the Respondent or Baltimore County may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$225.00 and the posting of security in the amount of the penalty assessed.