

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

In the Matter of

Civil Citation No. 116030

Barbara Holcomb

5 Belinda Avenue

Respondents

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

This matter came before the Administrative Law Judge on November 7, 2012 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-7-310(a): Failure to remove all junk, trash and debris from residential property.

On October 17, 2012, pursuant to § 3-6-205, Baltimore County Code, Inspector Ryan Fisher issued a Code Enforcement & Inspections 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 \$1,800.00 (One thousand eight hundred dollars).

The following persons appeared for the Hearing and testified: Lloyd Newcom, Respondent and, Ryan Fisher, Baltimore County Code Enforcement Officer.

Testimony was presented that upon a citizen complaint, an inspection of the subject property was carried out on 8/16/12, revealing auto tires, wood, furniture and other miscellaneous junk, trash and debris on the site. A Correction Notice was issued. A re-inspection was carried out on 10/9/12 and noted that the previous violations remained as well as numerous piles of animal feces on the ground. A new Correction Notice for the feces was issued. A further re-inspection on 10/17/12 noted improvement as to the feces, but that the junk, trash and debris remained. A Citation was issued, mailed and posted. Photographs taken by the Inspector were admitted into evidence. The Respondent testified that they were purchasing new cans immediately, the yard was cleaned up and concrete had been poured into suspected rat holes.

Having heard the testimony and evidence presented at the Hearing:

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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 \$900.00 of the \$1,000.00 civil penalty be suspended, with an immediate \$100.00 fine imposed at this time.

IT IS FURTHER ORDERED that the remaining \$900.00 civil penalty will be imposed if the subject property is not brought into immediate compliance pursuant to this Order.

IT IS FURTHER ORDERED that if the subject property is brought into compliance pursuant to this Order, the remaining \$900.00 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 ___15___ day of November 2012

Signed: _____
Lawrence M. Stahl
Managing Administrative Law Judge

NOTICE: 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.

LMS/sma