

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

In the Matter of

Civil Citation No. 110359

Ronald Shriver
Sherree Shriver

7145 East Baltimore St.

Respondents

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

This matter came before the Administrative Law Judge on June 20, 2012 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 101, 102: Illegal home occupation, failure to cease business from residence.

On May 29, 2012, pursuant to § 3-6-205, Baltimore County Code, Inspector Dan O'Neill 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 \$4,000.00 (four thousand dollars).

The following persons appeared for the Hearing and testified: Ronald Shriver, Respondent and, Kara Shriver, daughter of owner and, Dan O'Neill, Baltimore County Code Enforcement Officer.

Testimony was presented that, upon a citizen complaint, an inspection of the subject property was carried out on 5/10/12, revealing a multitude of materials and items in the front and back yards, suggesting ongoing sales from the site. A Correction Notice was issued. Further research revealed eleven pages of pictured items placed on Craigs List by the Respondent which matched many of the items viewed by the Inspector on the property. A re-inspection of the site on 5/29/12 noted no improvement and a Citation was issued, mailed and posted. A re-inspection of the site on 6/18/12 noted a severe reduction in items left on the property. Respondent called his daughter(who lives on the subject site), who testified that they are in the process of moving all of the offending item and will bring the property into compliance.

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 \$4,000.00 (four thousand dollars).

IT IS FURTHER ORDERED that \$3,600.00 of the \$4,000.00 civil penalty be suspended, with an immediate \$400.00 fine imposed at this time.

IT IS FURTHER ORDERED that the remaining \$3,600.00 civil penalty will be imposed if the subject property is not brought into compliance pursuant to this Order by August 6, 2012.

IT IS FURTHER ORDERED that if the subject property is brought into compliance pursuant to this Order, the remaining \$3,600.00 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 28 day of June 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.