

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

In the Matter of

Civil Citation No. 105895

Ramon A. Perez  
Faustina Perez

7963 Bank Street

Respondents

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

This matter came before the Administrative Law Judge on March 14, 2012 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-4-201(d), failure to store garbage in container with tight fitting lids on residential property.

On February 21, 2012, pursuant to § 3-6-205, Baltimore County Code, Inspector David Gaines issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$500.00 (five hundred dollars).

The following persons appeared for the Hearing and testified: Roman Perez, Respondents and, David Gaines, Baltimore County Code Enforcement Officer.

Testimony was presented that upon citizen complaints, an inspection of the subject property was carried out on 1/29/12, noting the presence of garbage in cans without proper lids. A Citation was issued, mailed and posted. As a result of a subsequent inspection on 2/21/12 showing no improvement, a Citation was issued. Respondent acknowledged the violation.

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 \$500.00 (five hundred dollars).

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IT IS FURTHER ORDERED that \$250.00 of the \$500.00 civil penalty be suspended, with an immediate \$250.00 fine imposed at this time.

IT IS FURTHER ORDERED that the remaining \$250.00 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 \$250.00 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 21 day of March 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