

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

In the Matter of

Civil Citation No. 119246

Hampstead Properties, LLC  
709 Spotters Court  
Hampstead, MD 21074

429 Caledonia 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 December 5, 2012 for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-7-310, 312; 13-4-201, Baltimore County Zoning Regulations (BCZR) section 1B01.1D: Failure to cease open dump; Failure to remove junk, trash and debris; Failure to store trash in cans with tight lids on residential property.

On November 19, 2012, pursuant to § 3-6-205, Baltimore County Code, Inspector Phillip Mills 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 \$1,500.00 (One thousand five hundred dollars).

The following persons appeared for the Hearing and testified: Carol Hasson, Respondent and, Megan Reedy, tenant and, Phillip Mills, Baltimore County Code Enforcement Officer.

Testimony was presented that as a result of a complaint from the Council office, an inspection of the subject property was carried out on 10/11/12, revealing the presence and use of trash cans without tight fitting lids, miscellaneous junk, trash and debris, tall grass and general open dump conditions, a Correction Notice was issued. A re-inspection on 11/19/12 noted that the grass had been cut but that otherwise, conditions on the property were unchanged. A Citation was issued, mailed and posted. A pre-hearing inspection on 12/3/12 noted no substantive change on the site.

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 \$850.00 of the \$1,000.00 civil penalty be suspended, with an immediate \$150.00 fine imposed at this time.

IT IS FURTHER ORDERED that the remaining \$850.00 civil penalty will be imposed if the subject property is not brought into compliance by December 19, 2012.

IT IS FURTHER ORDERED THAT if the subject property is not brought into compliance by December 19, 2012, Baltimore County shall be authorized to send contractors to enter upon the subject property and correct all violations therein; the costs and expenses arising therefrom to be the responsibility of, and be assessed against the Respondent.

IT IS FURTHER ORDERED that if the subject property is brought into compliance pursuant to this Order, the remaining \$850.00 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 December 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.